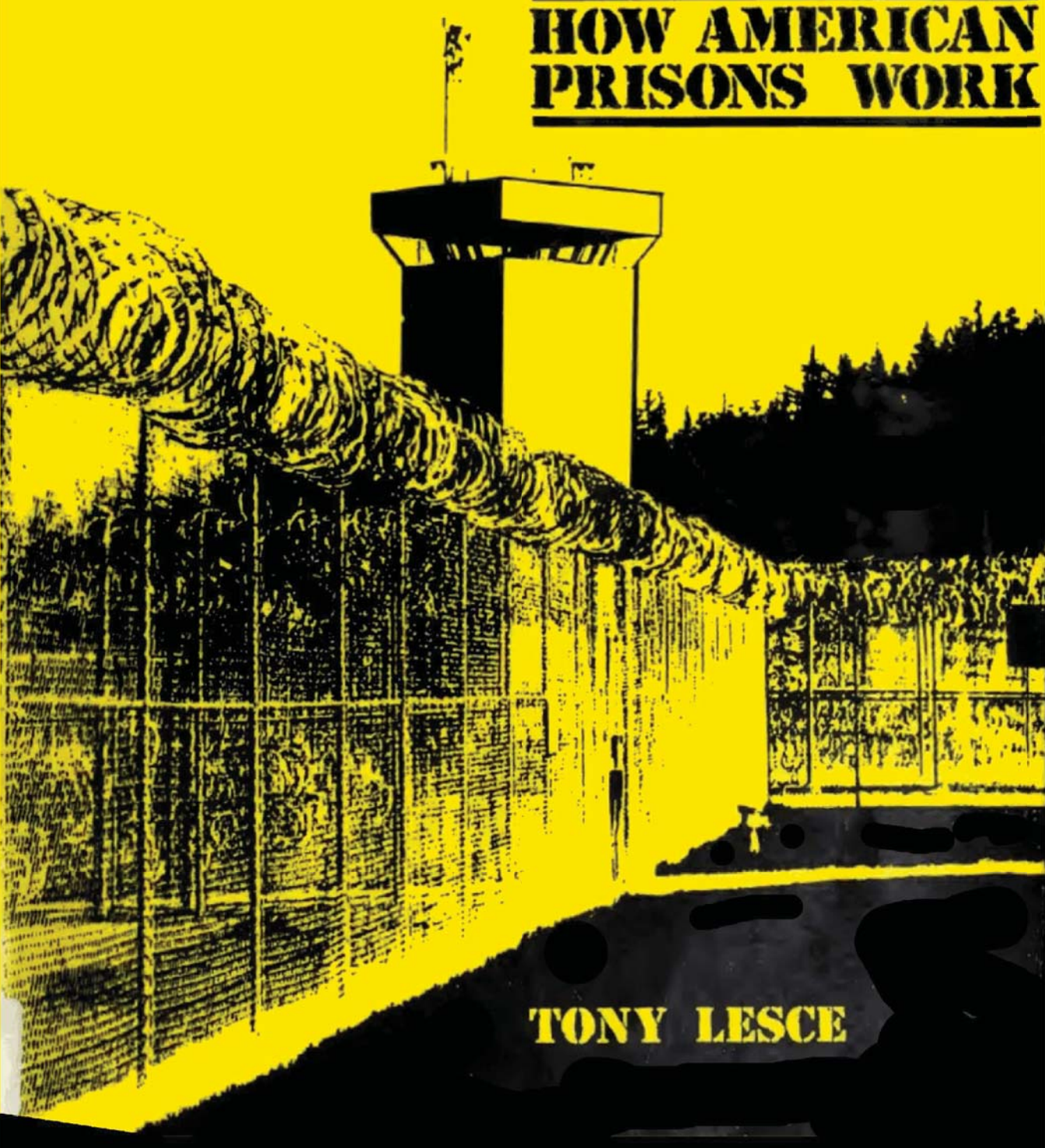
THE BIG HOUSE

HOW AMERICAN PRISONS WORK



TONY LESCE

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CONTENTS

Introduction 1
1. History 6
2. Basic Incarceration 14
3. Physical Custody 18
4. Prison Life 25
5. Custody Personnel 41
6. Security Procedures 49
7. Reform and Rehabilitation 72
8. Psychiatric Treatment 80
9. Escapes 93
10. Riots and Disorders 99
11. Public Relations 109
12. Training 115
13. Tools 139
14. The Future 159
Glossary 176
Index 178

Dedicated to the Emperor Draco,
who was a pretty nice guy,
for a liberal.

Introduction

Many Americans today feel that our crime problem is out of control, and steadily getting worse, despite reassuring statistics from the U.S. Department of Justice that crime victimization has been declining since 1973. Overall crime has dropped somewhat, although homicide is up. More people are reporting crimes to the police, showing that they expect action. The police solve a disappointingly small proportion of crimes, as few as 14% of burglaries, for example. Most of the time, they arrive only to take a report.

Police performance is splendid, however, compared to the rest of the criminal justice system. Conviction rates are poor, and few criminals end up behind bars. All told, the cost of criminal justice, from the cop on the beat to the cost of keeping an inmate behind bars, is steadily increasing, with no end in sight. Although our overall crime rate may be slowly declining, on the average, the cost to taxpayers per crime, per police officer, per prosecutor, per court, and per prison inmate keeps rising.

Taxpayers are rightly concerned, wondering what they're receiving for their tax dollars. One of the main areas of concern is what happens to criminals behind bars. Are they pampered in country club prisons? Are they getting out prematurely to resume their rampages? Does incarceration even work?

Incarceration is a relatively new practice in human history. Formerly, punishment for crimes was limited to corporal punishment, banishment, and execution. In earliest times, the "lex talionis," or law of retaliation, governed sentencing practice. People tried to inflict the same pain or deprivation on the accused person as he had inflicted upon another. This, in many cases, made the punishment fit the crime.

Slavery was a form of controlled custody, but not true incarceration, because its purpose was economic, not punitive. A few slaves suffered punishment for

trying to escape, but the punishment was most often whipping, not close confinement.

Today, incarceration has several purposes. The most traditional one is punishment. Another is rehabilitation, or reformation. This grew out of a liberal view of crime and criminals, which dictated that, with proper confinement and reflection, a criminal might be taught to repent and mend his ways. Some feel that prisons deter crime, while others take the utilitarian view that confined criminals can't prey upon society.

Political control is a fairly modern purpose, one which grew out of the practice of banishing, or exiling, troublesome people. Political control overlaps with internal security, much practiced during the 20th century. People whom the regime deems "security risks" are subject to arrest and detention, a form of "protective custody." Protection is for security interests, and for the detainees, who might be victims of mob action if unconfined. This is especially true in wartime, when enemy aliens are on a round-up list. As a normal security procedure, most countries maintain up-to-date lists of people to round up and intern at the outbreak of war. This is true of Eastern Bloc countries, and Western Democracies, as well. Both Britain and the United States, for example, maintain round-up lists for action in time of war, and both have military camps earmarked for quick conversion into detention centers.

The concept of "warehousing" people started during the 19th century, and several systems for warehousing resulted. The original concentration camp came about during the Boer War, when the British suppressed a guerrilla war by South Africans of Dutch descent. British troops relocated entire communities to deny supplies and recruits to the guerrilla movement. Population control also saw employment in Stalin's Russia, Malaya, and Vietnam. Warehousing is also a way to maintain people who have committed no crime, such as the aged and mentally incapacitated, but these are beyond the scope of this book.

In this book, we're going to study modern prison practice, covering present-day concepts as well as looking towards the future. We'll have to take a very quick look at the past, to understand how today's penology got where it is. It's important to understand the mistakes and the dead ends of the past to avoid following the same paths in the future. There's good reason to believe that tomorrow's prisons will be very different from today's institutions, for several compelling reasons.

First is the increase in both the general and prison populations. It's getting to be a crowded world, and with more people in prison, there will have to be new solutions to old problems.

There are also changing concepts in penology. The consensus regarding the failure of rehabilitation, and an aging population, have combined to produce a

harsher, less compromising attitude towards lawbreakers. There's a general insight that prisons are not hotels, and that inmates are not carriage-trade guests. Deterrence to crime, once a promising aspect of confinement, also appears to be a dead end, but not for the reason that some people believe. The hard fact is that our criminal justice system is very inefficient, and even the harshest penalties don't deter if infrequently applied. This is why our very low apprehension and conviction rates don't deter many criminals.

A landmark U.S. Government study has brought out another aspect of penal servitude: incapacitation. Comparing the costs to society, it's clear that it's cheaper to keep hard-core criminals confined than to let them out.

Yet another problem is the "NIMBY" phenomenon. "Not in My Back Yard" is the reaction of many citizens when it's time to build a new prison. Every property owner wants the new prison built in another town. We're running out of space to build prisons, and we've passed the apparent limit in prison size.

Prisons, at least in the United States, don't work very well. The experience of many years show that "rehabilitation" is often ineffective. The most-quoted figure is an 85% recidivism rate, which is very discouraging. Worse, present-day prisons aren't even effective in "keeping the lid on." There have been over 300 prison riots and revolts since 1970, a figure almost incredible given the tightly-controlled nature of prison society.[1] Prison administrators can't keep the peace in their own yards, which helps explain why their institutions are so ineffective in their overall social role.

Another reason is technical advances in penology. New concepts of incapacitation, such as home arrest, may change the picture drastically. The emphasis in the future will be on ways to incapacitate career criminals by other means than building higher walls or more cells. We'll look at current trends, and try to project them into the future.

The budget crunch is another problem. In the future, with increasing demands on public services, there will be more ways for governments to split the revenue pie. It's obvious that voters and taxpayers will prefer that public funds go for care for the aged, who are guilty only of growing old, instead of providing amenities for convicted felons.

The last reason is why this book is for the specialist, and for the citizen and taxpayer. Prisons are necessary but controversial parts of the criminal justice system, and concerned citizens, as well as people working in the field, need to know the practical aspects of incarceration. They also need to know the limitations, and understand that there are other ways to accomplish the same task. A properly balanced criminal justice system will have various elements, to cope with different aspects of handling convicted offenders.

This book, although it touches upon military prison camps, deals mainly with civilian criminal prisons, because these are a fact of life during both war and peace. Prisoners of war, at the end of the conflict, look forward to repatriation, and they happily leave their host country. Criminal prisoners, at the ends of their terms, return to the same society that sent them to prison, often un-rehabilitated and unrepentant.

This book is a practical, no-holds-barred guide to modern and future penology and custodial practice. The author is not a prison officer or administrator, and therefore can "tell it like it is," frankly and without fear of reprisals by his superiors. Not being a public official, the author is also immune to attacks from lobbyists representing "prisoner's rights" groups, some of which put the well-being of convicted criminals ahead of the welfare of society itself.

Professional penologists and prison personnel, as well as citizens and taxpayers, need the information in this book. Within these pages, we're going to discuss prison conditions as they are, not as an ivory-tower theorist would like them to be. We're going to look at modern-day security practices and procedures, reasons for them, and their practical implementation. We'll list the reasons why certain procedures exist, and how to improve them. We'll also explore the frontiers of legality, and why it's essential to re-define the role of the convicted felon in our society to avoid the absurdity of having criminal inmates with more "rights" than the officers guarding them. Certain laws need to be changed to enhance security. One example is limiting inmates' access to mass media of all sorts. We'll also look at the future, and examine the possibilities when our priorities shift, and how to conduct cost-effective incarceration of convicted felons, as well as workable options to expensive custodial care.

We'll study current trends, and possible improvements in our penal system. The emphasis will be on custody, not parole, probation, and other "diversion" programs, because these work differently. We'll explore ways to improve prisons, reducing their populations and increasing security. We're not going to devote much space to juvenile corrections, simply because this is a totally different topic. It's very well-known that it's poor policy to incarcerate juveniles with adult offenders, for many reasons. It's also better for the juvenile offender to find other ways than incarceration, if possible.

Likewise, we're not going to get deeply into the problem of mentally ill people who commit crimes. Some belong in hospitals, not prisons, but this issue is often clouded by fuzzy thinking. In this country, it's become common to see one or more psychiatrists testifying for the prosecution and the defense, each tailoring his testimony to suit the needs of the party paying his fee.

We're also going to skip over prison architecture lightly, partly because "stone walls do not a prison make," and because physical facilities are usually adequate, despite the protests of "prisoner's rights" groups. Prison architecture is trendy, like many other fields. Technological innovations will make obsolete certain features which prison designers have accepted for generations.

We'll limit ourselves to techniques known today, because this book, although imaginative, is not science-fiction. All techniques and hardware discussed within these pages exist today, and only need application to prison practice. With proper legislation and administration, prisons may become beneficial to the society that supports them, instead of the dangerous liabilities they are today.

Readers will welcome the avoidance of jargon in this volume. High-sounding phrases, such as "developmentally-disabled offender," sound erudite, but obscure instead of explain. It's unfortunate that most discussions of correction issues and problems are sprinkled with abstruse jargon, often hiding absurd ideas behind a screen of terminology, and concealing the profound ignorance of the authors.

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• 1 •

History

Because the emphasis will be on prisons today and tomorrow, we'll cover prison history very lightly. Skipping over helps focus on certain important issues, and point up the mistakes of the past. We'll find the same errors repeating, partly because many people concerned with prison policy didn't study history.

Ancient Times

Strictly speaking, prisons have been with us for many hundreds of years. The Romans had dungeons built under the city, and the notorious Tower of London was a prison, as well as a place of execution. Many castles built in the Middle Ages had facilities for detention, beginning in the 12th century.[1] France had its Bastille, apparently for political prisoners of the king. London had its Bridewell, a workhouse built in 1557 and originally intended as a vocational rehabilitation institute for the poor and unemployed. Expedience soon dictated its use as a detention and correction facility. The Dutch copied Bridewell in 1596, and other European countries followed the example within the next few years. However, these early examples were far removed from the prisons we know today. Nobody claimed that penology was a science, and in fact, very few people were in custody for any reason.

Deportation

The hardest cases not meriting execution suffered banishment, or deportation. Britain "transported" its criminal rabble to America, until the 1776 revolution put an end to that. British authorities then sent convicts to Australia, which was the

dumping ground for 135,000 British convicts until 1857, when the Australian Government refused to accept any more of Britain's rejects.[2]

France shipped convicts to Devil's Island until well into the 20th century, as the French Guiana penal colony did not close until after World War II. Russia under the Czars sent both civil and political criminals to Siberia. Russia covers nine time zones, and banishment to Irkutsk, Magadan, or Khabarovsk puts the convict far out of sight and out of mind. Under the new communist regime, Siberia was still a dumping ground for its outcasts, continuing a tradition which has survived in popular imagination and language. Today, even in America, "Siberia" is the nickname given to remote or undesirable work assignments and locations.

Colonial times in America featured public humiliation as punishment for many crimes. The stocks, pillory, and ducking stool served to punish convicted persons, and corporal punishment, such as whipping, was still popular. At the time, people who owed money also went to jail, in what was known as "debtor's prison." This practice died in the 19th century. In Pennsylvania, for example, debtor's prison was abolished on July 12, 1842.[3]

Flogging was abolished in Britain in 1861.[4] Perhaps for humanitarian reasons, or simply for lack of anything else, imprisonment became the main method of dealing with convicted felons.

Early European Designs

The economy of those early years could not support large prison populations and staffs, any more than they could support large standing armies. Prisons as we know them did not become popular until the industrial revolution. During the Renaissance, there were detention facilities, such as sheriff's "gaols." A later development in Britain was the convict hulk. There were several old ships at anchor used to warehouse prisoners.

A common thread running through various workhouses, gaols, and hulks was unsanitary over-crowding. This may have taken place through simple lack of facilities, or it may have been malevolent neglect, but it resulted in epidemics that thinned out the inmate population. At times, epidemics spread to surrounding areas.[5]

In Continental Europe, workhouses evolved into correctional institutions. The idea took hold that one way to reform convicts was to have them work, and to earn both their upkeep and their eventual freedom by hard labor. The Belgian "Maison de Force" and the Italian "Hospice of San Michele" were two early examples of industrial prisons, evolutions of the original Bridewell idea. San

Michele was an early reformatory, designed for youths. It also introduced a couple of ideas that became central to prison architecture and practice for centuries. One was the large central work area. Another was individual cells for sleeping. A rigidly enforced regime of silence was basic to the program of reform.[6] These ideas carried over to America, where the next giant steps in prison design took place.

Prisons have been problems since their inception. The first recorded prison "riot" in America took place one year before the start of the Revolutionary War, at Simsbury, Connecticut, where a state prison was built in 1773 in the tunnels of an abandoned copper mine. The riot took place in 1774, and the picture has worsened in the years since.

Even in those early days, there was a movement towards prison reform, because prison administration was often inept and corrupt. Traditionally, only society's losers accepted work as prison guards, and their administration reflected this.

Early reformers were dilettantes, philosophers such as Jeremy Bentham, Montesquieu, Beccaria, Diderot, and Voltaire. This was the "Age of Enlightenment," when it was fashionable to believe that all men are fundamentally good, and that eradication of evil depended upon kind treatment of offenders. This is a very attractive philosophy, and is still with us, partly because it's strongly supported by prison inmates working the angles to secure advantages for themselves. Street-smart convicts found it easy to fool these early bleeding hearts, who had never themselves worked as prison guards, and who were very naive. When they visited prisons, they were appalled at the conditions, and failed to realize that the main reason that prisons were not "grand hotels" was the nature of the "guests." The only tangible contribution to prison design was from Jeremy Bentham, who originated the "Panopticon," consisting of a central cupola for the guards, and a ring of cells around it, permitting constant observation of prisoners. Ironically, the panopticon did not take root in Britain, but across the ocean, where many second-generation American penitentiaries followed the design.

America Leads the Way

The Walnut Street Jail, built in Philadelphia in 1790, was the first American penitentiary, following Quaker ideas that reform came about through reading the Bible and reflecting upon one's misdeeds. The result was solitary confinement and idleness, to better have opportunity for reflection. The result surprised the reformers. Inmates kept in isolation quickly suffered both physical and mental symptoms, and it became necessary to put them to work simply to maintain their health.

Pennsylvania's Western Penitentiary, built in Pittsburgh in 1826, was the first of the second-generation prisons, and used the panopticon as the basic design. New York's Auburn Prison, however, was the most fully-developed concept, combining both physical layout and administration into a penal system that became the model for many others for years.

The Auburn System

The Auburn System was a vast improvement over previous types of prisons. Although this system appears bizarre from today's perspective, it was a quantum jump, with rigidly enforced neatness which contrasted favorably with the filth and crowding of previous prisons.

Auburn prison used small cells, only for sleeping, and a system of rigid discipline designed to keep inmates under total control. The "congregate" system emphasized marching, eating, and even working in formation, in total silence. Inmates marched to workshops, using the "lockstep." This required inmates to form lines, with each man's hands on the shoulders or under the armpits of the man in front of him. Upon command, inmates marched in a shuffle, not lifting their feet from the ground. There was a mess hall for meals, with single-file tables arranged facing outward, to prevent inmates from communicating even by signs or facial expressions. They also marched to workshops, where they performed their work in total silence, and then to individual cells, where they ate their meals brought from the kitchen. The guards, who were then called "turnkeys," enforced rigid discipline, using corporal punishment.[7]

Prison punishment was inevitably harsh, to make an inmate already confined feel even more uncomfortable. Solitary confinement in tiny dark cells, often known as "the hole," was one way. Deprivation of the ordinary diet, and substituting bread and water, was another. Whipping, and confinement in a "sweat box," were other forms of corporal punishment. A wire cat-o-nine tails was in use at Sing Sing Prison in the 19th century, as was a rawhide whip. Additional punishment took other, more imaginative, forms. Jumping forward a few years, we see turnkeys at Arizona's Yuma Territorial Prison dropping scorpions onto inmates while they slept. Arizona State Prison, built in 1909, eliminated scorpions, but substituted confinement in a cell dug into the ground in the yard, and covered by an iron grating. This became very hot under the midday sun, and offered the option of extra punishment by dropping a tear gas grenade in with the inmate.

Other features of the Auburn System were hard labor, often meaningless breaking of large rocks into little ones, and overwhelming monotony. Food was nutritious, but poorly prepared. Clothing was uniformly drab, and the prisoner

became simply a number. Total subservience and regimentation dominated daily existence, as part of the plan for total control.

The ball and chain also saw use during the 19th century. At Alcatraz, when it was a military prison, prisoners wore 12-pound balls chained to their ankles until the mid-1870s.[8]

New Construction

Every state in the Union built one or more prisons. They followed different architectural schemes, but the main effort was always, logically, towards security. There were technical and cosmetic improvements. Gang locks enabled entire rows of cells to be locked from a point at one end, where a guard pushed or pulled a lever. Electrical locking systems allowed a guard in a central control booth to open or lock all cells on a block. Indoor plumbing ended the era of "slop buckets." Electric alarms and sensors made prison perimeters more secure, and machine guns on top of guard towers became the ultimate control measure in maximum security prisons.

Prison Industries

The United States, which led the world with its industrial genius, also took the lead in making prison an industry. Economies of scale dictated large installations, and huge fortress prisons became the rule. Inmate populations increased, with the typical fortress prison designed for well over 1000 convicts. The record was 5,600 inmates at the State Prison of Southern Michigan at Jackson, in 1981.[9]

An important trend that aborted was the industrial prison, with inmates employed at meaningful work, and earning wages. This was a realistic effort to help convicts re-enter society's mainstream, but it failed miserably because of two factors. One was corruption, with inmates being leased out to private interests, and paid low wages, while the prison administration pocketed the difference. This was a vice that took place mainly in the South.

The other, and more important, factor was organized protests from private industry, including labor unions. Businessmen complained that prison industry products were unfair competition, because they were state-subsidized. Labor unions complained that convicts were taking jobs from honest working men. The results were several laws, on both state and federal levels, prohibiting the sale and transportation of prison products on the open market.[10]

Individual Treatment

A series of prison reforms took place during the 19th and 20th centuries, all leading to what we can best call "individual treatment." Reformatories were junior-grade prisons, emphasizing work, education, and preparation for re-entry into society. The Elmira Reformatory, in upper New York State, was for youthful offenders, who presumably had the best chance of reform. A system of classification of convicts also came about in several countries, recognizing that different types of inmates required different approaches, and that it was generally harmful to mix youthful and first-time offenders with hardened criminals.

During the 20th century, the federal government and most states built several different types of prisons. Maximum security prisons were for the most dangerous or escape-prone. Medium security prisons were for lesser offenders, and minimum security prisons for short-timers, white-collar criminals, and others who appeared to pose few security risks. Indeed, some minimum security prisons have no walls, guns or locks. The only restraint on escape is the threat of confinement in a hard prison upon recapture. There were also separate facilities for females and youthful offenders.

Another approach was the indeterminate sentence. Instead of handing out fixed sentences, criminal justice systems offered inmates both hope and a role in their own rehabilitation. This led to innovations such as parole, time off for good behavior, and half-way houses.

Hypertrophy

In America, the prison system choked on itself during the 1930s, otherwise a period of great innovation. First, a spate of riots during 1929-1932 led to a re-thinking of priorities. Leaders in the criminal justice system, such as J. Edgar Hoover, urged a get-tough policy towards inmates. Partly at his instigation, the Federal Bureau of Prisons opened Alcatraz, a sort of Devil's Island clone in San Francisco Bay, to house the top rank of super-dangerous criminals. Alcatraz was allegedly escape-proof, and although a few prisoners managed to get out of their cells and over the walls, there's no documented case of any making it to shore during the time it was run by the Federal Bureau of Prisons. Several vanished, presumably drowned in San Francisco Bay.

The main problem at the outset was that Alcatraz, with its redundant security measures, was under-utilized. One authoritative source states that Alcatraz was

designed for criminals of the caliber of John Dillinger, Bonnie and Clyde, and Kate "Ma" Barker.[11] The problem with this idea was that all of these hard-core criminals were killed resisting arrest, and Alcatraz soon filled up with second-raters. There was simply a shortage of super-dangerous felons in the prison system. Alcatraz closed in 1963, because it simply wasn't cost-effective.

The other wrong turn the American prison system took was to build several super-large prisons. Those in the Midwest appear to have been the largest, some designed for 4,000 inmates and more. There are practical difficulties in administering such large institutions, and the trend has been to down-scale new construction.

American Prisons Today

The only fact that is absolutely clear about the American prison system is that it's been more populous in recent years. The United States keeps a larger proportion of its population confined than any other Western country.

In 1980, we had 329,821 inmates in state and federal prisons. By 1983, the total had increased to 437,248, and by 1985, 502,507, not counting those in city and county jails. In 1988, the total had exceeded 600,000, and today it's still climbing.[12] The latest available figures, for the end of the first half of 1990, state that the total population of federal and state prisons is 755,425 inmates.[13]

In addition, there were over 2347 inmates awaiting execution or the outcome of an appeal as of May 30, 1990, according to the NAACP Legal Defense & Educational Fund study, *Death Row, USA*. To date, there have been only slightly more than 140 executed in this country's death chambers since the resumption of the death penalty during the late 1970s.

The reason for this sharp increase in prison populations during the last decade isn't that there's more crime, nor an increase in the efficiency of the police. Rather, the last decade has seen many states passing mandatory sentencing laws, and criminalizing various drug offenses. Whereas possession of a small amount of an illicit substance used to be a misdemeanor in many jurisdictions, it's now a felony.

It appears to be more difficult today than previously to convict a murderer, but the total on death row is mounting, because carrying out the death sentence is more difficult. An unprecedented gauntlet of appeals and other defense maneuvers awaits any death sentence. In reality, there's a span of about ten years between sentencing and execution, at the least, and the death row population keeps increasing. The cost of convicting a person of a capital offense, managing the appeals, and finally carrying out the death sentence is at least five million dollars today.

Death row is an especially costly and uneconomical way to keep people confined. Economically, it's the prison version of intensive care, because death row requires more officers to keep a closer watch upon inmates. In effect, death row is a super-maximum security section within a prison.

Let's now study the basics of keeping dangerous people confined.

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Basic Incarceration

There are several basic concepts involved in custody, and it's vital to lay these out and explain them clearly before dealing with advanced techniques. We also have to understand the goals, as well as the physical and procedural principles involved. In turn, this will allow us to evaluate alternatives to incarceration, such as home arrest and other means of incapacitation, to judge their merits.

Detention

The basic purpose of incarceration is physical custody. In its most fundamental form, custody is necessary to assure the presence of a suspect at his trial, by incarceration in a "jail," which is a short-term custodial institution.

A jail may be under the authority of a city, county, or other local government body. We often call a jail a "detention facility," because its stated purpose is to detain individuals slated for trial or transfer to state prisons. In some cases, a local jail may even serve to hold a condemned prisoner.

The "holding tank" is a large cell used for detaining minor offenders, such as drunks. It can also serve to hold those slated for transport to court on a particular day. Defendants going to trial typically return to the jail at the end of the day.

As well as holding individuals pending trial, jails are for punishment of minor offenders. Those serving light sentences, such as drunk drivers, etc., do not make the journey to a more heavy-duty facility, but serve their terms in the local jail. It varies with the jurisdiction, but a rule of thumb is that misdemeanor offenses, rating terms up to one year, are served in the local or county jail. Longer terms are the province of the state prison.

Jail personnel are "detention officers," because their place of employment is a detention facility. They may be city or county employees, members of the police or sheriff's department, but not necessarily sworn officers.

Local jails are catch-all facilities, and there's little attempt to screen or segregate inmates, with two exceptions. Males and females occupy separate cells, or wings, if the jail is large enough. There's also strict separation of juvenile offenders from adult suspects, for several reasons.

One obvious purpose is protection of juveniles from influence and exploitation by hardened offenders. Another is that many juveniles are "status offenders," taken into custody for acts which are not illegal in themselves, when practiced by adults. These include drinking alcohol, leaving home, etc. State law, as well as good general practice, mandates separation of these offenders.

Correction

After conviction, the prisoner has to serve his sentence, and in the case of serious offenses or long sentences, the judge usually specifies the state prison. A "prison," or "correctional institution," bears the "correction" label because of the long-standing fiction that it exists to "correct" deviant behavior. As we'll see, most workers in the field today know that "correction" is only a rarely realized ideal.

A correctional institution, by contrast with a detention facility, is set up for long-term custody. Only convicted felons come to correctional institutions. While jails are usually within a city, to be conveniently close to the police department and to a court, prisons are in remote areas, where land is cheap and population is sparse. Few people and many open areas aid recapture in case of escape, while anyone escaping from a jail in a city can more easily blend in with the population.

Because prisons are for serious offenders, security is heavier and more visible. Few city jails have high walls and guard towers, but many state prisons do.

Size is also a factor. A jail can be as small as one cell, in small town police headquarters, while prisons are typically set up to house at least one thousand inmates.

The parent governing body of a prison is the state or federal government. There's a "Bureau of Prisons," as with the federal government, or a state "Department of Corrections." Prison guards hold the title of "correction officers."

Somewhere within each prison system is an execution chamber, except in states without capital punishment. This is typical, while execution facilities are exceptional in city or county jails.

Another difference is that prisons tend to be more self-sufficient. A prison in a rural area is likely to have a farm and dairy to provide some of its food, and various workshops to manufacture prison clothing, uniforms, shoes, and other necessities. A local jail is utterly dependent upon the economy.

In keeping with this objective of self-sufficiency, a prison has a hospital ward or building, to provide fairly high-level medical care for inmates. None but the largest jails have hospital wards or blocks, instead transferring sick or injured prisoners to a local hospital under guard. In large cities, the municipal or county hospital has a jail ward.

Prisons have, in addition to prison industrial shops, various educational facilities to teach inmates trades or otherwise upgrade their educations. The problem of keeping inmates entertained and busy is more severe than in a jail, where inmates have only short stays and are usually busy with a trial. A TV set goes only a short way towards keeping inmates entertained.

Some inmates arrive totally illiterate, and there are classes in basic reading and writing. Additional skills that prison schools teach are welding, auto mechanics, and other manual trades. There are also extension programs, by arrangement with a local college or university, for the few interested in advanced education.

An elaborate system of classification and segregation exists in correctional institutions. There are separate facilities for male and female inmates, and separate facilities for juveniles. These are often totally separate institutions, because the large number of inmates allows building distinct institutions.

Unlike jails, prisons have separate wings or blocks for new inmates. Recent arrivals go to a "reception" or "intake" wing or block, where they live under tighter control and observation than the general population. During the few weeks after arrival, inmates receive more individual attention than they will during the rest of their terms, as the staff tries to categorize them and determine the best way to handle each one.

One clear fact emerges about the American prison systems today: prisons house mainly the hard cases, the most flagrant and unrepentant offenders, including repeaters. Those committing lesser offenses, first offenders, and those who are good prospects for rehabilitation drop out along the way.

The "situational offender" is one who violated the law more through accident or mishap than premeditation. A person who attacks or kills an unfaithful spouse, for example, is not a career criminal. By contrast, the person who has rarely held a job, has abandoned his family, and who has a record of repeated law-breaking, is probably incorrigible. Today, with more arrests than ever, there's room to house only the worst offenders. This has come to be known as the "correctional funnel."[1]

Convicted felons who show a good outlook for return into mainstream society truly don't belong behind the walls. A first offender, or a "situational" offender, with a record of steady employment, belongs on probation. Likewise, the person with strong family ties has an incentive to avoid career criminality.

The hard cases are the most dangerous, and receive the most concentrated attention. They also commit the most crimes per person, and require intensive custody. We'll examine this next.

Sources

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• 3 •

Physical Custody

There are at least three types of custodial institutions: minimum, medium, and maximum security. These terms are self-explanatory. Some prison systems have yet other levels, such as unsupervised custody, and extra maximum security, for special purposes.

The main reason is economic. It's not practical to keep all inmates under maximum security. Many inmates are moderate or minimal risks, and for them maximum security is a waste of physical plant and manpower.

Fortress Prisons

The fortress prison has a long history, but in ancient and medieval times, it was for prominent prisoners. The Tower of London, for example, has seen royalty confined and even executed by rival factions after a coup d'etat.

During the 19th century, the concept of the maximum security prison for especially dangerous career criminals came about, because the concept of confinement dictated that there be a system of classification. Youthful and first-time inmates received relatively lenient treatment and minimal security, while hard-core offenders were too dangerous to keep in any but the tightest prison regimes.

Nineteenth century prisons were not luxury hotels, but a segment of public opinion at the time appeared to think otherwise. There were complaints even then of prisons coddling criminals.[1] Among the critics there was a nostalgic longing for the "good old days," when hanging for petty offenses was common, and convicted felons received the justice due them.

Alcatraz was an example of the fortress prison carried to its logical conclusion. The main idea of a genuine maximum security prison is that security is paramount, with every other consideration taking, at best, a poor second place. At times, the staff outnumbers the inmate population. In Colditz, a World War II German prison for POWs, this was true. However, at the end of 1934, the first year Alcatraz was in operation, 88 officers guarded 242 prisoners.[2]

Today's typical fortress prison has cells arranged in "tiers," or floors, with several tiers to each cell block. A walk-way on each tier, and a system of stairways, provides access. Walk-ways may be open, with only a railing to prevent falling from higher tiers, or completely enclosed in grating. Enclosing walk-ways helps prevent homicidal attacks, when one inmate throws another off a high tier.

Another walk-way, this one definitely enclosed, is on the wall opposite the cells. This walkway, known as a "gun gallery," has no gates or doors leading to the cell block, to prevent any inmates' reaching it. This is because one or more armed officers patrol it, looking into each cell as they walk along. Officers may carry shotguns or rifles, according to prison policy.

Cells may have between one and six bunks, or even more. Tiers may hold 10 or 20 cells, and up to 100 inmates. Cell blocks may have five or six tiers, and hold 600 to 1000 inmates. Some massive fortress prisons, such as Statesville, may have 10,000 inmates.

Cell blocks are arranged in a pattern, either enclosing or paralleling an exercise yard. In all cases, entrances to cell blocks, as well as individual cells, are closely controlled. A set of remote-controlled electric locks can maintain security.

A central control room is part of every design. In some, the control room is at the center of a wheel, with connected cell blocks radiating outward from the control room, like spokes.

Prison Camps

Prison camps are both cheap and temporary, at least in concept. In practice, they can be as expensive to administer as fortresses, because to maintain the same level of security, it's necessary to use manpower to compensate for reduced physical security.

Prison camps are mainly wartime expedients. Frankly, most are quick and dirty because the demand for POW camps is zero during peacetime, then swells to a fast peak at the outbreak of war. POW camp policy depends on several factors, such as which side is taking the greater number of prisoners, and cultural attitudes towards captives. The side with a "take no prisoners" policy can see great

economies in prison camp costs. However, this opens the possibility of reprisals upon its own troops captured by the enemy.

Another type of camp is the temporary detention camp, such as those used to intern alien nationals and subversive suspects upon the outbreak of war. All countries have these, and the procedure for their activation is remarkably similar.

The counter-espionage service prepares a list of suspects, and keeps it up to date. On the basis of this list, the military prepares a number of camps, complete with barracks, barbed wire, bedding, and cooking implements. The military also plans how to staff these camps at short notice, usually by calling reservists to duty.

The alert signal may go out before or after the formal declaration of war. Sometimes, when war is imminent, security officers will begin rounding up suspects before they can run and hide. Security patrols, reinforced by army units and local police, arrest and transport the people on the list to the nearest camps. The mass round-up of Japanese during the early days of America's participation in World War II was an example of how the system works.

The difficulty with this system is that the overwhelming majority of the detention camp population, which usually includes women and children, are absolutely innocent of any wrong-doing. For example, the round-up of aliens in Britain at the outbreak of World War II, included many German Jews, who hated the Nazi regime even more than the British did. Until they were sorted out, they remained detainees.

Work Gangs

Obtaining labor from confined criminals isn't new, but in recent years, there have been objections to this practice, from both businesses and labor unions. The theory is that convict labor puts honest employees out of work, especially because convicts work for much lower wages. This is why today, much of the "labor" undertaken by prison inmates in America is simply make-work, and not related to the civilian economy.

Work gangs are mobile work forces, often used to build or maintain roads, and in some Southern states, let out during harvest to pick crops. Armed guards always accompany these gangs, and it's necessary to send out a food truck at mealtime.

Surveillance

It's become a truism in American prisons that the administrators don't run the prison; the inmates do. In fact, the greatly outnumbered guard force, in many

prisons, maintains some sort of control only by the tacit consent of the inmates. This is why there's a lot of illicit trafficking in many prisons. Some commodities are drugs, alcoholic beverages, and sex.

To maintain a semblance of control, the administration uses surveillance extensively. Means include both electronic surveillance, using closed circuit TV, and developing a corps of informers.

Design Features

There are several desirable design features that thoughtful administrators want to see in new construction. A basic fact is that prison design has a great bearing on prison security, because certain design features make it much more difficult for inmates to carry out escapes and riots.

Substructure

All new construction should be on rock, rocky ground, or on a concrete slab. This prevents inmates from burrowing tunnels.

Walls

A high wall surrounds every fortress prison. The wall is steel-reinforced concrete, and at least 30 feet high. A good design feature is to have the top of the wall rounded, to prevent anyone from walking on it, and to deny purchase for improvised grappling hooks. Guard towers control access on each side of the wall. Spacing between towers is 50 to 100 yards, but access to each tower must be from outside the yard. This allows officers to relieve each other at shift change without passing through the yard.

Sallyport

An important design feature is the double gate, or "sallyport," to control entry and exit. The sallyport may be built into the wall of a fortress prison, or it may be a compound between the inner and outer wire in a prison camp. The basic principle is that only one gate may be open at one time. This is to prevent prisoners from forcing an exit by "rushing" the gate.

Today, the sallyport has to be large enough to accommodate motor vehicles, if these are allowed to enter the prison or camp. This can mean a length of fifty feet or even longer, depending on the size of the truck. Officers stop all entering and exiting vehicles in the sallyport, close the gate, and conduct a careful

inspection for contraband. This includes scanning the underside of the chassis with a mirror, or stopping the vehicle over a pit to allow officers to climb down and examine the vehicle from underneath.

Compartmenting

All new designs should avoid large areas where hundreds or thousands of inmates may gather at one time. This facilitates riots, and makes it incomparably difficult to control even a mild disorder. Instead, cell blocks and corresponding yards should be small, with maximum populations of about 100 inmates.

Protected Walkways

All inmate areas should have a network of protected walkways, or "gun galleries," to allow officers to circulate and observe inmate activities from different angles. These walkways should be strong cages, which would absolutely prevent inmates from reaching officers. This allows officers to observe safely, and to carry firearms without fear of having them snatched.

Control Room

All prisons should have a central control room, with radio and landline communications to each cell block and to nearby law enforcement organizations, for both routine and emergency control of the prison. The control room must be fully manned 24 hours a day, each day of the year. The control room serves as a command post in case of a disorder, and should also be a central control point for security measures, such as electrically controlled gates and tear gas dispersion systems.

Chemical Agent Control Systems

In some prisons such as New York's Green Haven, officers view the mess hall as a chronic trouble spot, and at each feeding, an officer watches from a tower, ready to release tear gas from pipes in the ceiling in case of a disturbance.[3] When the Federal Bureau of Prisons was converting Alcatraz from an army stockade to a super-maximum security prison, the warden ordered the installation of tear gas containers in the mess hall. Officers could release gas from the canisters, mounted high on the walls, from a control box outside the mess hall. Warden Johnston vetoed the idea of having tear gas canisters in all inmate areas.[4] While having chemical control devices in the most likely trouble areas is a good idea, it's too conservative.

A network of pipes to dispense chemical agents is essential for quick control of any disorder which may occur. There should be a pipe and release valves built

into the ceiling of every cell, corridor, room, hall, or other area accessible to inmates. For extra security, all rooms and areas adjacent to prisoner areas should have coverage, in case inmates manage to penetrate beyond their assigned areas.

Reaction Plans

Administration reaction to inmate disorders has several levels.

First are standing orders. These govern low-level reactions by individual officers. There must be policies governing use of force, covering what levels of force are suitable for each type of situation. Various personal and non-lethal means, such as impact weapons and chemical agent spray cans, are suitable for repelling personal attack or controlling unruly inmates.

Higher levels of force, such as use of mass dispersal of chemical agents, and gunfire, should be only at the order of a superior officer, usually the shift commander. It's essential that authority rest with the highest-ranking officer actually on duty when an incident occurs, because delaying a decision can allow a situation to spiral out of control. An example is a fight in a mess hall or shower room which soon involves most of the occupants. If a senior officer hesitates in ordering control measures while seeking authorization from the warden, there are likely to be injuries that would not have occurred if officers had promptly imposed control.

Another reason for quick and early use of non-lethal force is deterrence. If frequent use convinces inmates that any disorder will immediately result in massive application of chemical agents to the affected area, until all inmates are incapacitated, it will soon become clear that riots and revolts cannot succeed.

Yet another reason is strictly tactical. One of the worst events is when inmates revolt and present a list of demands. Massive and incapacitating application of chemical sprays can stop a revolt before it's totally organized and underway, and prevent the presentation of any demands. This eliminates tiresome negotiations, and the media circus that usually follows.

There should also be no hesitation in authorizing deadly force. If an inmate poses a serious physical threat to an officer, the nearest armed guard should "take him out" at once. An example is an attack with a weapon or implement, such as a knife, screwdriver, or hoe.

Another justification is to stop an escape. A group of inmates scaling a wall or fence justifies deadly force. In this regard, it's important to understand that the early application of deadly force can prevent an even more dangerous situation. Once over the wall, inmates may be too close to civilian passersby or residents

to allow safe use of firepower. Some inmates may even decide to take hostages, further escalating the incident. Only decisive force can control such incidents, and officers should not hesitate to use whatever force is necessary.

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• 4 •

Prison Life

The outstanding feature of life in prison is oppressive boredom. This is the result both of close confinement and heavy regimentation. One effect of boredom is that inmates attempt to generate excitement, which can result in various forms of mischief-making, including escape attempts and political activism.

There's also a reversal of values often taken for granted before confinement. Freedom, privacy and individuality are considered aberrations in prison, and the system works hard to suppress them.

New arrivals are known as "fish," and until they learn the ways and byways of prison life, they're likely to find themselves exploited by predatory inmates. The stronger ones can take it, and make some sort of adjustment, becoming mentally tough and able to find their level. However, some "fish" sink.[1]

Prison Crowding

Legislators are reluctant to spend money on prisons, and this results in packing as many inmates into existing space as possible. Often four share a cell originally designed for two. At times, prison crowding, combined with defective plumbing and a standard of care suitable only for a concentration camp, forces a reaction. In March, 1975, the Arizona chapter of the American Civil Liberties Union filed a lawsuit on behalf of inmates, stating that conditions at Arizona State Prison constituted "cruel and unusual punishment." The ACLU stated that sewage contaminated drinking water, medical care was substandard, etc., and this got a hearing before a federal judge, who mandated changes.[2]

No court order can ease the close confinement, which fosters a feeling of claustrophobia in some inmates. Crowding violates "personal space," and this

leads to combativeness and other bizarre behavior. The closeness and total lack of privacy create a "behavioral sink," in which the inmates become restless and anxious, as do laboratory animals when confined closely. Personalities change, becoming suspicious, hostile, violent, and depressed. Interpersonal friction increases, which is why prisons have reputations as "powder kegs."

Personal conflicts in prison tend to get worse, not better. Enforced proximity aggravates tensions. One of the adaptive mechanisms inmates have developed is the concept of "doing your own time." This means not exhibiting excessive curiosity about another's business, including the reason for his conviction. It also includes not forcing friendships, and allowing people their own privacy, if they so wish.

Prison mess halls are crowded, as well, and in many prisons inmates eat in shifts because of limited space. Prison food is cheap and starchy, partly because food budgets are skimpy. Legislators understandably allot little money to prison food budgets, partly because they're aware that many people, living miserably on unemployment payments and welfare, have committed no crime. However, prison farms often produce food of better quality than obtainable in civilian markets, where food is over-processed. Bread from unbleached flour and milk with full butterfat content are two examples of better-quality food available to prison inmates than to many citizens on the outside.

Ethnic Make-up

One obvious fact about jails and prisons everywhere in the country is that ethnic minorities are over-represented in the prison population, compared to the country as a whole. This is true even in states which have small ethnic populations, such as Washington State, where Walla Walla has more than its share of ethnics. Twenty one percent of inmates are Black, although Blacks comprise only 3% of the state's population.[3]

By contrast, in the New York State penal system Blacks have outnumbered Caucasians since 1963.[4] Puerto Ricans have also increased. During the 1960s, political agitation in society spread to the society inside the walls. It became fashionable for Black inmates to absolve themselves of guilt for their crimes by claiming to be society's victims. This line of reasoning maintained that Blacks were political prisoners of a Caucasian-dominated society that made criminals out of them by denying them the legal and material benefits accorded to Caucasians.[5]

Inmates' Ages

Although the typical heavy-duty offender is between ages 16 and 25, the average age of prison inmates is older. This is because convicted felons tend to spend several years after commission of the offense in prison. At Walla Walla, the mode, the bracket with the greatest number, was 27-29 years old. The second most populous age bracket was 30-32 years old, and the third was 24-26 years old.[6]

Prison Cliques and Gangs

There have always been cliques in prisons, but lately, racially-based gangs have emerged. Blacks, Hispanics, and others form close associations, such as the "Mexican Mafia" and the "Black Muslims." Likewise, various Caucasian groups, such as the "Aryan Brotherhood," and "The Order," have chapters in prisons, dedicated to protecting the interests of the white race. Inevitably, this causes intense friction, and conflicts often result.

A climate of fear pervades prison. New arrivals become quickly aware that they're potential victims in this society composed exclusively of criminals. Gangs practice active recruitment as policy, both for defensive reasons and to increase their strength and influence. Anyone not a member of a gang or clique stands alone, without protection, vulnerable to "bull-dogging" by other inmates. This is a powerful incentive to join a clique.

The Department of Justice listed 114 prison gangs, totalling over 12,000 members, in this country's prisons in 1985.[7] According to that study, only Oregon, Montana, Wyoming, North and South Dakota, Nebraska, Kansas, Louisiana, Mississippi, Alabama, Tennessee, and South Carolina did not have gangs within their prisons.

Status and Pecking Orders

According to the inmates' value systems, certain crimes and their practitioners have higher status than others. Violent crimes outrank non-violent ones. Murder, attempted murder, and armed robbery are high-status crimes, and those who have committed them elicit respect from other inmates. Also important is being "connected" to organized crime.

Child killers and molesters are the lowest on the scale. This is partly because it doesn't take much courage to kill or ravage a child, and partly because many inmates, family men themselves, despise those who victimize children.

What inmates reveal about the reasons for their being confined depends upon their situations. The rule of thumb is not to reveal anything that the authorities don't already know, because of the dangers from informers. However, the "word" spreads through the prison, because most prison administrations employ inmate clerks who see individual records and can report on them to other prisoners.[8]

Violent offenders tend to pull heavy sentences. This is partly because statutes penalize crimes against the person more heavily than property crimes, and partly because judges are more prone to impose heavy terms on violent individuals, for the protection of society. Given these conditions, it's not surprising that prison life includes a high level of violence, including assassinations.

Prison Violence

Although a prison is a tightly controlled society, crime flourishes. Between gang rapes, shakedowns, and interpersonal conflicts, life in prison is very dangerous. One study revealed that the homicide rate in one state's prisons was 617 per 100,000 persons, compared to the national civilian homicide rate of 11 per 100,000 reported in 1972.[9] Later studies show higher rates. The overall national rate of prison deaths by homicide in 1985 was 18.5 per 100,000. This contrasts with the 11.5 per 100,000 civilian homicide rate in California, the highest in the nation that year.

Inmates regularly meet violent ends in prison, sometimes during heated conflicts. Others die as a result of "contract" assassinations, originating inside or outside the walls. One individual, Bobby Tuzon, narrowly missed being assassinated when Gary Tison was planning his escape from Arizona State Penitentiary. Tison's plan included escaping to Mexico in a light plane once outside the walls, and Bobby Tuzon was the only inmate who knew how to fly a plane. Tison offered Tuzon $25,000 for flying him to Mexico, and added that he had no choice: he'd either comply, or die. Tuzon agreed under duress, but other events eliminated him from the plan in its final form.[10]

One individual killed under contract to people outside the prison was Tony Serra, former sales manager of the Great Southwest Land and Cattle Company, in Arizona. Serra's conviction for land fraud in 1974 had resulted in a sentence of eight to ten years, which he was serving in Arizona State Prison. Serra had, while in prison, granted interviews to two members of Congressman John Conlan's staff, who were seeking dirt regarding Conlan's opponent, Sam Steiger. Steiger had allegedly been associated with racketeer Ned Warren, convicted on two counts of extortion in 1975. Serra confirmed the rumors to Conlan's staffers, and provided more information regarding how documents regarding some of Warren's land deals had disappeared from the prosecutor's office.[11]

Serra revealed details regarding the close association between Warren, Phoenix attorney Neal Roberts, and Steiger. He told of both the financial and social relationships between the three, and Atmore Baggot, one of Conlan's staffers, decided to spill the news in the state's main newspaper, the *Arizona Republic*. An article on August 13, 1976, gave part of the story, and a follow-up article on August 21 gave the rest. The articles mentioned Tony Serra as a source, and this led to his doom.

Serra knew that his life was now in danger. In December an unidentified person attacked him while he was seated on the toilet, beating him with a piece of pipe. Serra refused to identify his attacker, hoping that this action would earn him a reprieve or forgiveness. Early in January, 1977, four men attacked Tony Serra, stabbing him 15 times, and beating him with pieces of pipe. One attacker used an electric drill to fracture his skull, then punched a hole in his forehead with the bit. Gary Tison was allegedly one of the killers.[12]

Timely intervention by officers occasionally stops an attack cold. One dramatic incident occurred before World War II at Arizona State Prison. Inmates assigned to agricultural labor were formed into "gun gangs," with armed mounted officers keeping watch over them. One inmate stalked and attacked another, hitting him in the head with a heavy, sharpened hoe. He struck him a second time, while a guard captain ordered him away from his fallen victim. When he raised the hoe for a third blow, the captain fired, striking the inmate in the head, aborting the attack. Both inmates eventually recovered from their injuries.[13] Occasionally, inmates will attack officers, even without the stimulus of a riot. One guard captain at Arizona State Prison was the victim of an attack with a gallon can of lye-water mixture. An inmate threw the mixture into the captain's face, and despite hospital care, the captain lost one eye, then the other, before dying.[14]

Even a super maximum security prison can't eliminate violence totally. One inmate fatally stabbed another who was taking a shower one day, despite the presence of a prison officer nearby.[15]

Alcatraz' first warden, James A. Johnston, was the victim of a physical attack one day in the mess-hall. Burton Phillips, an inmate who had during a period of brooding decided that the warden was to blame for his problems, stepped out of the mess line one day in 1937 and punched the warden out with one blow. A guard knocked Phillips cold with his club. The associate warden leaned over and continued to beat him as he lay unconscious.[16]

Prison Suicide

In 1976, 14 of Green Haven's 1850 inmates committed suicide. Prison inmates are prone to suicide, for various reasons. Anyone carrying a heavy sentence may

conclude that life behind bars is not worth living. The personality types gravitating to prisons, such as sociopaths, alcoholics, and sex offenders, have suicidal tendencies.[17]

Although some feel that an inmate suicide saves the state the cost of a trial and incarceration, liability governs administration policy towards inmate suicides. In an area where courts hold the prison administration responsible for inmates' welfare, it may be necessary to train officers to be especially watchful for inmates who appear to be suicidal material. Inmates who appear depressed, and who speak about self-destruction, are the ones to take seriously.

The principle methods of self-destruction behind bars are hanging and slashing, which account for over ¾ of the attempts. Other methods are swallowing broken glass, overdosing with medicine, and other forms of self-mutilation. All require implements or drugs, and this gives officers a way of preventing suicide when an inmate appears depressed or otherwise unstable. A session in a strip cell can prevent most suicides. Keeping a suicidal inmate in an isolation cell under 24 hours observation is a very effective method. Under no circumstances should a suicidal inmate be sharing a cell with another inmate, because the self-destructive rage may turn outward, leading to a violent attack.

Sex in Prison

Sex is forbidden in most American prisons. However, because many inmates are healthy young males, sex exists. Prison systems in certain other countries, especially the Latin ones, allow conjugal visits, but deprivation of healthy sex has traditionally been part of the American penal system, and most American inmates don't have any licit sexual outlet. The exceptions are those who receive weekend passes near the end of their terms, and those in a few American institutions.

There are three sexual outlets available to most American prison inmates: masturbation, homosexuality, and animal contacts. Privacy necessary for sex is hard to find, and perhaps the only reliable outlet is masturbation in one's bunk after lights out. Most inmates are not homosexual, but can become "situational" homosexuals because they lack other outlets. Inmates working on the prison farm may take up sex with animals out of desperation.

Predatory homosexuality is often a danger in both jail and prison, with older offenders seeking out young and attractive inmates as their "punks." In some jails, prisoners are housed in "tanks," which hold ten, twenty, or more prisoners. Crowding helps anonymity, and it shields happenings from the eyes of the detention officers.

Sex victimization can result in severe conflicts. At times, the older, predatory inmate will threaten or use physical violence to enforce his demands upon the "punk." The victim, in turn, may resort to force to resist the aggressor. There are also rivalries between older inmates for the attentions of the punks. This is what leads to knifings, gang rapes in the shower, and other nasty features of prison life.

The relationship between aggressor and punk is not necessarily violent, but can become very inter-dependent. The older inmate provides cigarettes, extra food, or drugs in return for sex. If the older inmate is one of the leaders, he also provides protection from other predators.

Sex can also be a form of aggression, punishment, or reprisal. In some cases, Black inmates seek out new Caucasian inmates, and rape them to exact revenge for alleged past crimes against the Black race.[18]

Having two inmates in a cell, "double-bunking," facilitates homosexuality, and one of the unstated and undocumented reasons for the move to eliminate double-bunking was to suppress homosexuality. It failed. Unless a prison administration keeps every inmate confined to a single cell 24 hours a day, there will be opportunities for sex.

At times, prison life leads to homosexual prostitution. This may be complete with pimps and other features of prostitution as practiced in the outside world.[19]

Some inmates have opportunities for normal sex when visiting is poorly supervised. In loosely controlled visiting areas, it's possible for an inmate to take a female visitor behind bushes or benches for quick sex. At Arizona State Prison, for example, Dorothy Tison performed fellatio on her husband, Gary, while her three boys sat on a bench with their backs to the couple, holding up newspapers to block guards' view.[20]

Weapons in Prison

The amazing fact about prisons is the proliferation of weapons inside the walls, despite tight security. Prison administrators have the power to order large-scale searches at their will, and inmates are always under tight control and regimentation. Yet, "gun control" does not work, within the walls as without.

Although the administration has a hard and fast rule: "No weapons inside the walls," it apparently applies only to guards. They're not allowed to carry firearms in any areas where inmates might snatch them. However, between smuggling and improvisation, inmates are well-supplied with weapons. These are usually crude, improvised edged weapons, made from sharpened metal scraps, toothbrushes, and other materials available within the walls.

Every prison contains a metal-working shop, either as a maintenance and repair shop, or to hold classes for inmates. Files, chisels, putty knives, and other hand tools serve as raw materials for sharpening into "shivs."[21]

Shiv handles may be the ones on the tools, or improvised from tape or putty. This becomes necessary when improvising shivs from bunk straps, and other pieces of flat metal. Plastic toothbrushes, sharpened to a point and with a piece of rag around the other end, make crude shivs for one-time use. A wad of putty can hold a single-edged razor blade onto a wood or plastic handle.

Prison-made firearms are in the "zip gun" category, made from pieces of plumbing pipe, and using improvised firing systems. Matchheads serve as the propellant, when sliced off and ground with water, then allowed to dry. However, this is very rare. Typically, the prison-made firearm is chambered for factory ammunition, such as .22 rimfire. This is a low-intensity cartridge that, for one-time use, does not require a precision forged barrel and chamber. Effective range is only a few feet, and great accuracy is unnecessary. Shotgun shells, operating at low pressures, fit easily into plumbing pipe, and improvising a weapon requires only a length of pipe, a cap, and a rubber band and nail for a striker.[22]

Other prison-made weapons are garrotes and blunt instruments. All of these are easy to improvise from a piece of string or rope, a rock or bar of soap in a sock, etc.

Drugs and Alcohol

The need for escape within the mind is at least as pressing in prison as it is on the outside, which is why some inmates take to manufacturing contraband alcoholic drinks, obtaining drugs, and ingesting various household and industrial chemicals. This is more common in prisons than in jails, because prisons have more comprehensive facilities, such as workshops, available to inmates.

Carbon tetrachloride is one industrial chemical sometimes used for mind-altering. There's a serious risk of permanent psychosis and organic damage, but inmates regularly take this risk.[23]

Drug dealing is potentially deadly, because drug dealers in prison operate very much as they do outside, with a proportion of drug "burns." The difference between a drug burn inside the walls and one outside is that, within a prison, it's hard for the perpetrator of the burn to avoid facing the one he burned, sooner or later. Reprisals can be deadly.

Some inmates attend religious services, not because they're devout, but because these afford opportunities to make contacts with a pusher to deliver drugs. At

times, there are visiting preachers, who are in themselves security risks.[24] They, or some in their entourages, may help in smuggling drugs.

Smuggling in Prison

Most contraband, including weapons and drugs, does not enter the walls with visitors. There's a comprehensive program of searching visitors upon entry, and searching inmates after each visit. In maximum security areas, visitors may not come into physical contact with prisoners, because they sit at benches separated by heavy glass, and speak to each other through telephones.

Prison guards are the principal smugglers. Most officers are poorly paid, and have low status, especially among others in the criminal justice system. Guards quickly find out that they can earn extra money by smuggling. An inmate may sidle up to a guard and ask him to deliver a letter to someone outside, to get around censorship. If he agrees, he receives payment for this service, and it's a foot in the door for the inmate and his outside contact. The outside contact will, in turn, ask the guard to bring a small packet to the inmate. Almost inevitably, the packet contains illegal drugs, either for direct consumption or as trading currency. In some cases, a prison administrator will "license" certain guards to operate a smuggling business, passing a rake-off to the administrator.[25]

During a previous administration at Arizona State Prison, in Florence, Arizona, smuggling was organized by the yard captain. He fraternized with the inmates, and passed news of impending shakedowns, so that they would hide their contraband.[26]

Some smuggling takes place by simple means, throwing contraband over the wall. Other means are concealing drugs in sacks of potatoes, or other supplies entering the prison. Even a ball game in the yard offered an opportunity for smuggling contraband when a hit drove the ball over the wall. Trusties working outside the wall would pick up the ball and throw back a substitute, made to conceal a small supply of drugs.[27]

Prison Guile

Inmates see themselves as distinct from people outside, whom they call "square johns." These square johns do not know what it's like to be a prisoner, and therefore, in the inmates' view, are somehow inferior due to this lack of sophistication. They're also fair game for exploitation.

Inmates tend to feel sorry for themselves, and see themselves as victims, instead of acknowledging that they're in prison because they've victimized someone else. In this, they reinforce each other's belief that the criminal justice system is inherently unfair, and that none of them belong inside the walls. Many will point to people who are even more guilty than they, but who have escaped incarceration. Some claim that only poor offenders go to prison, while rich ones can afford to hire skilled attorneys or bribe judges to obtain acquittals.[28] There's enough truth in this view to make it credible to people who are naive about the ways prison inmates think.

The other side of the coin is exemplified by Mayor Marion Barry, of Washington, D.C., who upon his conviction for drug use blamed it on "the American injustice system." His attorney stated that the case had developed because Barry is Black.[29] Similar excuses have been forthcoming from other wealthy people involved in various junk bond, insider, and savings & loan scandals in recent years. Instead of showing repentance, or concern for their victims, they insist that they were framed by vindictive prosecutors, for political reasons, etc.

Inmates also see normal security measures, such as strip searches, as purposeful attacks upon their dignity.[30] They refuse to acknowledge that strip searches are necessary because inmates try to smuggle drugs and other contraband into prison.

Prison inmates, although they sometimes use force to attain their ends, in the end cannot win any violent confrontation between themselves and the administration. In all cases of prison riots, the administration has been able to call the state troopers or the national guard when needed to augment the guard staff. In the Alcatraz uprising of the late 1940s, the Federal Bureau of Prisons was able to obtain the services of a company of U.S. Marines.

If force is a dead-end tactic, inmates must use other means. The popular one is guile, or deception, which inmates know as the "con." Conning their way past the prison administration, the parole board, and other official bodies is a repeated and favorite tactic. In fact, inmates develop their street smarts intensively, and try to con practically anyone with whom they come into contact. In prison, this is called being "con-wise." They work hard at conning guards, the parole board, and other officials.[31] Another pastime is to con academics, such as researchers and social workers.[32] Higher education is no protection against being conned by inmates.[33] One inmate, secure in the knowledge that his interviewer was eating out of his hand, went so far as to suggest that inmates should have a role in training new officers.[34]

Some inmates work very hard at conning journalists, legislators, and others they can recruit to support a program of "prison reform." This sometimes results in a

disastrous liberalization of prison policy, handing over the reins of governing the prison to inmates, as at Washington State Penitentiary at Walla Walla, during the early 1970s. The result was an increase in serious inmate violence. Between 1972 and 1978, there were 17 murders and 12 suicides among the inmates.[35]

Unfortunately, even serious scholars adopt erroneous beliefs about prisons and prison life. Thus, in an otherwise well-written book, *Corrections,* we see the terms "Lock psychosis" and "Convict bogey" used to denote what the authors see as an unreasonable fear of convicts' escaping, and of convicts' preying on citizens in surrounding communities upon escape.[36] As we'll see when we study the escape of the Tison Gang from prison, these fears are fully justifiable.

One authoritative source states that it's possible to classify inmate manipulative behavior as one of two types of games, depending on the objective. These may be games for gain, and for harm.[37]

A dangerous type of game is the "Ann Landers Game," which consists of engaging the officer in personal conversation and drawing him out. An inmate who is a good conversationalist, and appears sympathetic, can be very successful at this game, which is simply probing for vulnerabilities that inmates can exploit.

Some inmates play the "Assistant Game," in which they appear to exert influence over other inmates, helping the officer impose order. Some inmates are genuinely helpful, while others play this game solely to extract favors or special consideration from officers.

Another type of game is the "Sympathy Play." The inmate pours out a tale of woe to the officer, in a reversal of the "Ann Landers Game," and asks the officer for help. The help usually involves bending or breaking an institutional rule, such as making a telephone call on his behalf to a girlfriend, relative, or attorney. Once the officer grants a small favor, the technique changes to salami-slicing, asking for increasingly bigger favors.

The danger of leaving oneself open by listening to any inmate's sob story is that the officer thereby makes a commitment to the inmate, who can accuse him of not caring if he refuses to be manipulated. A manipulative inmate can carry out a lot of psychological battering with his accusations of phoniness, or deceit.

Another type of game inmates try to play with officers has the object of "Divide and Conquer." Inmates seek out officers who have personality clashes with other officers or with their supervisors, or those who appear unhappy with the system. They flatter the officer, and suggest that he's a decent fellow, while the other officer is not. If the officer bites, and allows himself to be drawn in, he's open to the salami-slicing technique.

These are a few examples of the manipulative techniques inmates use, and they present some excellent reasons for treating all inmates with a certain reserve. The officer who normally deals with people without suspicion outside the walls must reverse his attitude to survive inside.

One prison administrator who had a soft spot in his heart allowed inmates at Fort Leavenworth Army stockade to form an inmate committee to advise him on running the prison and to help ensure that inmates charged with offenses received fair hearings. Unfortunately, he didn't realize that some of his charges, hard-core criminals, would take advantage of his kindness. The result was a major riot in 1918.[38]

One trusting individual was a truck driver delivering meat to Arizona State Prison, who drove into the yard and to the butcher shop. He gratefully accepted drinks of ice-cold lemonade while convicts unloaded his truck. The lemonade was just to divert the driver's attention, because while he was drinking, other inmates stole tubs of butter, a large carton of wieners, and other goods from his truck.[39]

Inmate guile and manipulation is so prominent, and defenses against it are so important, that we'll discuss this in greater detail in the chapter on training. All officer cadets should receive comprehensive instruction on inmate con tactics.

Medical Care

Most prisons have at least a part-time doctor who usually holds daily sick calls. These are typically opportunities for abuse by inmates. Attendance at sick-call is usually far in excess of the number of illnesses occurring in a similar-sized community outside the walls. One reason is boredom, and attending sick call permits time outside the regular routine. Inmates complain, however, that the quality of medical care isn't the best. In one sense, this is true, as competent doctors can earn more money in private practice. Another reason is that a prison doctor may be a newly-arrived immigrant, whose unfamiliarity with English would be a handicap in private practice.[40]

Prison Counseling

Many jails and prisons have a psychologist, psychiatrist, or chaplain on the staff. Others have part-time "behavioral health" personnel who hold sessions with the inmates. This sometimes leads to friction between these workers and the custodial

staff, because inmates are quick to exploit anyone who shows sympathy for them, and to try to use them to manipulate the prison administration.

An important reason for the long-standing divergence of viewpoints between "custody" and "treatment" personnel is that chaplains and psychologists see the inmates for short periods, and inmates make major efforts to be on their best behavior. Custodial staff, on the other hand, see the inmates 24 hours per day, and this provides a better perspective. Correctional officers, having seen the games inmates play, tend to be more cynical.

Another reason relates to bias. Academics and clergy tend to believe that people are basically good, and that deviance from accepted norms of behavior stems from human weakness, allowing good prospects for reform and rehabilitation. This outlook may be valid when working with ordinary citizens, but it doesn't prepare them to face the prison population.

Perhaps the most important reason relates to learning behavior by inmates. This corresponds to human behavior in the outside world, where many people seek to develop the skills to get promoted, instead of the skills required to do their jobs. In prison, inmates soon learn what's expected of them, and they keenly observe the mind-sets of counseling staff. Thus, they learn to tell them what they want to hear.

It doesn't take much intelligence to realize that prison counselors and psychologists have certain criteria for considering an inmate "rehabilitated," and inmates soon learn that attending group therapy sessions, describing unhappy childhood experiences, and expressing remorse for crimes will toot the counselor's horn. Contributing to this is the intellectual arrogance displayed by many counselors and psychologists, who consider themselves far more knowledgeable than inmates and officers. This is why they can't bring themselves to admit that they might be vulnerable to manipulation by inmates.

Prison Luxuries

One commonly-heard complaint is that many American prisons have become like country clubs, instead of remaining focused on punishment. The most glaring examples are minimum security institutions in the federal prison system, such as Safford and Danbury, which have earned the sobriquet of "Club Fed." These appear to be repositories for affluent white-collar convicts, and are equipped with tennis courts, swimming pools, and other amenities. The image of the American prison as the "joint," or "big house," is fading fast.

Even state prisons, with their poor reputations, allow various amenities for their inmates. Most have rules allowing a variety of appliances, such as TV, an air conditioner, coffee machine, stereo, etc. One inmate even kept two pet cats in his cell.[41]

Most of these amenities are not provided by the state, but by the inmate's friends and relatives. Although this appears to favor the affluent, in fact most families can afford to provide a TV set or stereo for a confined relative. Still, there's a potential for inequality, as some inmates enjoy lording their affluent status over less fortunate ones. Another problem is that appliances offer many hiding places for contraband.

The other side of the coin is that physical facilities in some older state and county systems are substandard. Some are infested with rats and lice, while toilets overflow in others. As we've seen, overcrowding contributes to discomfort, and aggravates behavioral problems. Today, it's literally true that an inmate may be watching a color TV in his cell, while run-off from a broken sewer line swirls around the floor.

The public relations aspect is both the most troubling, and the most beneficial. Some citizens find it disturbing that a prison inmate should be allowed to enjoy more amenities than a cadet at any of our service academies. Such a comparison focuses attention on prison problems, and the policies of excessive leniency that have corrupted American prisons in recent decades. If public dissatisfaction with our penal system continues to increase, there may be enough motivation for a program of changes and reforms.

Prisons as "Crime Colleges"

American prisons are crime colleges, because they provide a post-graduate course in criminal technique, offering the career felon the help and advice of experienced practitioners, and enough personal contacts to allow making the right "connections" upon release.

Inmates hold seminars on the techniques of crime, both to exchange information and to enlighten and indoctrinate younger, less experienced inmates. Some of the "courses" taught are safecracking and blowing, lock picking, breaking and entering, and hot wiring cars.[42] They hold classes in martial arts and disarming techniques. There are surveillance photographs of prison inmates practicing disarming techniques, with one inmate playing the role of officer and the other of the suspect.[43]

One recidivist stated that all he ever learned about crime he learned at Sing Sing, during his first term there. Some of the topics he absorbed from older and more experienced felons were how to obtain guns illegally, practical gun handling, armed robbery tactics, unarmed combat techniques, evaluating potential armed robbery targets, and "other useful professional skills."[44]

Keeping these people safely confined is a daunting task. Let's now look at the types of people who work in this field.

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• 5 •

Custody Personnel

It's a truism that top-quality work requires top-quality personnel and facilities. Prison administrators often have to do with far less. Still, a good administrator can tailor the job to suit the abilities of the people he hires to do it.

Guards

Recruiting

Because of comparatively low pay, prison recruiters can't hope to get top-quality officers. Another, and probably equally important, reason is that many prisons are located in remote areas, and the hiring base is the local population. A correction officer's salary may appear desirable to a sharecropper's son, but he may not make the best correction officer.

Today, the correction officer is not always a "he." While there have always been female officers to guard female inmates, recently there have been both court decisions and new regulations allowing recruitment of females to work in male prisons. This application of "equal opportunity employment" has caused some awkward moments, such as body searches and observation in toilets and showers. There has even been a female officer stabbed to death by a male inmate, who had entertained vicarious jealousy over her attentions.[1]

Qualifications and Hiring Quotas

Each penal system will establish its own requirements, based on the needs of the job itself, but lately these specifications have become very diluted. Early efforts by "civil rights" advocates were to lower standards, such as height and educational requirements. There was also a claim that civil service tests were "culturally

biased," and therefore unfair to minority applicants. There were sporadic efforts to design tests that were free from "cultural bias," but minority members kept scoring low on these, as well. This is what led to quota hiring, with mandatory hiring of a specified proportion of minority applicants, regardless of their test scores.

Although President Bush vetoed the 1990 Civil Rights Act, with its quota hiring requirements, the problem exists locally. In some areas, state or local law, and even departmental policy, promotes quota hiring.

The result is that, regardless of actual qualifications, a certain proportion of minority applicants become automatically eligible for hiring. This practice has several effects. The first is the obvious one, of forcing the hiring of unqualified applicants. The second is more far-reaching. Quota hiring discourages qualified Caucasian applicants from applying, as the news spreads that actual qualifications aren't as important as ethnic background. Some of the most qualified people won't bother applying, and will seek other employment. Finally, it can affect morale among officers already hired, because when hiring quotas begin, promotion by quotas quickly follows.

Administrators mustn't neglect the positive side of minority hiring. Some minority members come from the same social scene as the inmates, and are already "street-smart" and aware of the mind games they play. This practical skill can compensate for various academic deficiencies. Anyone who makes hiring decisions should therefore consider all of the factors.

In recruiting and screening, it's important not to waste time and energy on trendy dead ends in screening techniques. Both psychological and polygraph tests have serious limitations, and the only consistently reliable screening method is the background check.

Morale

Morale has always been low among correction officers. One reason is low pay, compared to other public services. Prison guards never receive pay equal to that of police officers, many of whom have become positively affluent during the past twenty years. The work is also more stressful, because of the constant contact with convicted felons. Police officers work among the general public, encountering average and "normal" people in most citizen contacts. Detention and correction officers meet only the "losers" in society, and the worst stratum at that. Except for the lucky few who work at "Club Fed," the federal minimum security prisons for white-collar, affluent criminals, correction officers work among dangerous and violent criminals, many of whom are mentally ill.

Another reason for low morale is that prison guards know that their superiors hold them in low esteem. Many prisons are like feudal societies, with hierarchies

that keep everyone firmly in his place. A handful of administrators get the best; rank and file get the rest. Administrators get state-supplied housing and cars, and the services of one or more trustees as servants, to clean house, mow lawns, wash their cars, and take care of any other chores that their masters direct. They also draw certain food items from prison supplies, as another perquisite of office. Rank and file guards, supporting families only on their relatively low pay, have to make it on their own.

Another difference between prison guards and police officers is that police administrators value their officers' lives. Police officers know that they must sometimes risk their lives, but that their supervisors do not consider them expendable under any circumstances. Prison guards know that, if they're ever taken hostage by inmates, their lives are forfeit, because prison administrators will never allow prisoners to go free in exchange for their guards' lives. This is an occupational hazard that few others suffer.

Low status is another problem. Very few parents will boast of "my son, the prison guard." Officers have also not had the most flattering nick-names or titles through the years. "Turnkey" was an early title for a prison guard. Prevailing attitudes for many years were that guards were as much riff-raff as their charges. Inmates themselves don't help at all, with their unflattering names for the guards (hacks, screws, bulls, etc.).

This is why the problem of staff burn-out is serious. Burned-out guards go through the motions, not really caring about anything except getting through their eight hours as quietly as possible. Burn-out is dangerous, because such officers become less alert, and tend to overlook conditions that can lead to breaches of security. They are also less watchful regarding their personal safety.

An obvious and dangerous symptom of low morale and burn-out is the statement that "the inmates run the prison," which some officers and administrators use to explain their lack of influence within the walls. Inmates can run a prison only if officers abdicate power, by incompetence or indifference. Well-trained and well-motivated officers can retain control of any institution.

At Arizona State Prison, before World War II, political patronage determined staff appointments. At each change of administration, the outgoing officers would steal anything portable, including food, ammunition, automobile tires and other supplies. Most wardens were inexperienced and incompetent, and inspired their staffs to do as little as possible to earn their pay.[2]

Even with civil service, turn-over among prison staff is high. With quota hiring and promotion, it goes higher yet. While the police have received much publicity, the media have all but ignored working conditions among prison staff. Typically,

turn-over is about twice as high among guards as it is among police officers. It reaches 25%-40% in some areas.[3]

One way to help morale depressed by hiring and promotional quotas is to emphasize job performance during the probationary period, when the newly hired officer's job hangs by a thread. A semi-literate probationer is very vulnerable to washing out if there are written policies and written procedures for every aspect of institutional operation. Requiring officers to read a handbook or directive for each function, and to show that they understand it, is a quick and effective way of screening out many undesirables. The other side of the screening process is to require written reports from officers, to document institutional events. Documentation is becoming more important to avoid liability, and it's a fair and reasonable requirement to insist that officers document significant events on their shifts.

Another way for administrators to help morale is to be fair to subordinates. Arbitrary decisions towards inmates are permissible, but never towards officers, because this creates a split that inmates may exploit. A prison administrator with a disgruntled staff has a time bomb ticking away in his lap, because once inmates discover that his officers are unhappy, they'll begin probing to find out which officers are the most vulnerable to exploitation. An inmate will sidle up to one of them, and sympathize with his resentment of the administration. This is the opening step in the "we/they" scenario, which ends with the inmate receiving special favors from the officer.[4]

Racism can work to inmates' advantage. A minority officer who feels that administrators and other officers discriminate against him, may find inmates of his own race reflecting his resentment. They'll play the we/they game with him, calling him "brother," and encouraging him to allow them to bend or break the rules, because the minority people have to stick together.

Probation

Every new officer must pass through a probationary period, during which his job tenure is much more conditional than it will be after he passes probation. The normal probationary period is one year, but an administrator may extend it if he feels that the employee is weak in some ways, and has not yet proven himself a good candidate for retention. Probation is both a testing period, and an administrative device to make it easier to get rid of an unsuitable or undesirable employee without going through the formal process of civil service dismissal for cause.

It's important to the effective administrator to make full use of probation, in order to retain and train the best possible staff. Quick dismissal is only one side

of the coin. It's also important to nurture those cadets who appear to be developing into competent officers. One way to do this is by assigning each cadet to work under or closely with a senior officer who can provide both formal supervision and informal guidance. This is somewhat like the "field training officer" system that police agencies use. An obviously competent senior officer, whom the cadet can respect for his skill and experience, and in whom he can confide, can help a lot in reducing the vulnerability of new officers to inmate scams.

One study of correctional officers who became victimized by inmate "games" showed that almost two-thirds of them had less than one year's service.[5] Two good reasons for this are apparent. First, inmates concentrate on new, and presumably naive, officers. The second reason is that during the first year, administrators are still weeding out some of the obviously incompetent and unsuitable officers.

The training officer should impress upon his cadet that he should ask him for counsel if he's unsure about anything, especially any action by an inmate. Often, if an inmate makes a request, such as asking the officer to take a letter outside the walls, he'll find the errand unimportant if the officer tells him that he'll ask a senior officer about it first. This shows the manipulative inmate that the officer is not going to be a gullible fool, but will work through channels.

Labor Relations

Many public service employees have unions or fraternal organizations. These occupy a special place, compared to unions serving employees in private industry.

One obvious point is that these unions are more reluctant to call a strike than are private-sector unions. A strike against the public interest simply does not look good, and the backlash, even when the strike is successful, is often too destructive. This is why there are, as with police agencies, outbreaks of the "blue flu," with many officers taking sick leave instead of going on strike.[6]

Another point is that administrators, before whom unions place their demands, are themselves public employees, and they ultimately do not decide either pay or benefits. The ultimate authority rests with the legislature, which is often very remote and unfamiliar with prison conditions.

A successful prison administrator will work hard to make allies of members of officers' unions, and to explain to them that they have much to gain by careful cooperation. One who failed was New York State Commissioner of Correctional Services Russell Oswald. He both differed strongly with his officers and administrators, and was afraid to enforce his decisions. This may have been an aggravating factor in the events leading up to the Attica riot.[7]

Administrators

Systems of Promotion

Traditionally, prison administrators rise from the ranks, as do police administrators. This is a very strong system, with more advantages than drawbacks, because it provides for on-the-job training, and experience within the system which the administrator-to-be will someday run.

The basic idea is that the cream rises to the top. The more able officers receive promotions and gradually increasing discretionary power and responsibility. This system places the ambitious officers in competition with each other, and can lead to a lot of politics, but this is unavoidable.

Guest Administrators

There has been "lateral entry" into prison systems, with administrators and top executives arriving from other systems to take over the top jobs. Although superficially attractive, this way of obtaining executive talent has severe drawbacks.

The first is that, because of the halo effect, many outsiders appear more attractive than they really are. An out-of-state prison administrator or professor of penology may have published impressive papers and books, but his everyday skill on the job may be less impressive, after he arrives.

Anyone seeking to hire an out-of-state prison administrator should keep in mind that the candidate may be leaving his present post because he's been less than overwhelmingly successful on that job. Even a warm recommendation from his superior may be as phony as a three-dollar bill, if the superior is trying to get rid of a dead-head without rocking the boat.

Another drawback is that academic aptitude does not necessarily translate into administrative skill. This is why, on the occasions when professors of penology or criminal justice have attained high posts administering prisons or entire correctional systems, results have been disappointing.

Yet another is resentment by the rank and file of anyone who has not earned his post by "paying his dues" within the same system. Forced subordination to someone whom they do not respect may result in subtle sabotage of the new administrator's programs. The rank and file know and understand the "system" in a way the outsider does not, and they can sink him if they dislike him.

Security of the Administrative Suite

Inmate labor is both an asset and a liability. Inmates can operate the prison farm and dairy, and stamp license plates. Those with medical training can even run the prison infirmary.

One area that should always be off-limits to inmates is the administrative block or suite. Files contain sensitive information, and should be permanently out of reach of inmates, no matter how strong the temptation to ease the labor problem by employing inmate-clerks.

The administrative block should always contain the employees' cafeteria and an employee lounge, where officers and other employees can take their meals, breaks, and generally "decompress" from the pressure of working on the cell blocks. A secure place, away from the inmates, is essential, because inmates always listen in to officers' conversations.[8] Inmates can learn a lot about institutional politics, and which officers are the most vulnerable to game-playing and manipulation, by listening in to unguarded conversations.

Another reason is that the administrative suite is a secure area for meetings with informers. A prison guard or administrator who risks the safety of his informers will soon find nobody willing to speak with him.

Officer Training

This is a long-neglected field, partly because of slim budgets. When the budget is tight, one of the first areas to suffer is training. Another reason is that some administrators feel that the detention or correction officer's job is so simple that little training is necessary.

All penal systems should maintain an officer academy, with an adequate instructor cadre. There's very little outside-procured training available for correction and detention officers, by contrast with the police training field, with its many consultants and private trainers. In fact, the only outside training commonly available is where the two fields overlap, such as in training in the use of various types of batons. Some of this generic training is quite good, because it's taught by some of the best in the field, but it is limited.

An in-house academy can offer recruits training tailored specifically to the needs of the organization. Another advantage is that instructors come from within the system, and can offer feedback regarding conditions within the walls, where cadets will soon be working.

Training is so important it deserves its own chapter. We'll discuss this in detail later.

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• 6 •

Security Procedures

Although this may be merely pounding on the obvious, it's worth listing the goals of security at the outset, so that we can see how each technique and tactic relates to them.

The first goal is to maintain physical custody of the inmates for the length of their terms.

A close second is to maintain order and discipline within the prison, and to prevent riots, revolts, strikes, and other disorders. Related to this is ensuring the well-being of custodial personnel.

Third is to prevent traffic in contraband. Some contraband is relatively harmless, such as alcohol, but some items can be very dangerous, such as weapons.

The last goal is to maintain the safety and well-being of the inmates themselves. This must be last, because in reality prison inmates lose a portion of their rights, despite the claims of prisoner's welfare organizations. Once convicted, they forfeit their freedom for the length of the sentence, and they may forfeit their lives if they try to escape, or otherwise threaten prison security.

Security practices and procedures can be routine and fairly ineffective, or innovative and effective. One of the worst errors prison administrators make is to impose an inflexible routine upon themselves. Patrolling according to a rigid schedule, holding searches at fixed intervals, and other inflexible procedures are not truly efficient. Regularity can only help inmates predict the behavior of custodial staff, which helps them in smuggling and planning escapes. Unpredictability keeps them off-balance, and promotes prison security.

Classification

For efficient administration, it's important to classify inmates according to the anticipated security risks and administrative difficulties they can pose, and to specify the level of security required for each. New arrivals go to an admitting block, where they remain while intake processing takes place.

Maximum security confinement imposes the heaviest burden of physical security and regulations designed to enhance security. We generally save maximum security facilities for the most dangerous cases that justify extreme measures in maintaining control. Less dangerous offenders require a lighter touch.

Classifying a prisoner takes into account the type of offense, his criminal history, his age, physical condition, and his personality. Obviously, a convict with a history of violence, who is still young enough and in good enough health to be dangerous, requires different treatment than an offender convicted only of non-violent crimes.

The rule of thumb is that maximum security is for the following categories:

1. Capital crimes.
2. Violent crimes.
3. Inmates with prior violent records in prison.
4. Escape histories.

Medium security is for the following:

1. Non-violent offenders.
2. Inmates over age 65, whatever the offense.
3. Inmates with long sentences.

Minimum security is for the following:

1. Non-violent inmates with good records.
2. Inmates with little time left to serve.
3. Short-term inmates.

Transferring inmates with short sentences, or little time remaining on long sentences, to minimum security is economical, because it frees up badly needed cells in maximum and medium security sections. These are expensive to operate, and a prison administrator should reserve space in them for difficult inmates. Short-timers have little incentive to escape, and are safe to keep in lightly-guarded areas. Trustees, naturally, always come from the minimum security section.

A special category is protective custody. This is for inmates who are likely to be victims of attacks, such as homosexuals and informers who have been discovered. Protective custody is in a special and separate block, inaccessible to

other inmates. Those in protective custody may be in single or multiple cells, depending on the circumstances.

The Admitting Block

Classification and indoctrination takes place in a segregated facility known as the "admitting," or "reception" block. New arrivals go through comprehensive medical and psychological testing and counseling, both for classification and to accustom them to life inside the walls. New inmates should receive close haircuts, as in the armed services, immediately upon arrival, and the initial prison uniform should be stark. If the climate allows, there should be only a thin jump-suit and slippers, to impose the idea that a radical change in lifestyle is taking place. This deprivation is to strip him or her of individuality.[1] It's an important first step in establishing control.

During the new inmate's time in the admitting block, he has no privileges at all. He gets no mail, and cannot send any. He has no personal property in his cell, except his prison uniform and shoes. There are also no visits from family or friends, and visitors are only those who are constitutionally required, such as his attorney.

The purpose of this program is to condition the new inmate to the idea that the prison staff has total control over his fate, and that he has no autonomy at all. An important point to make is that the inmate has absolutely no right to question orders or prison policy, and that officers will not provide any explanation for any orders, ever. The reason for this iron policy is to keep inmates under control. Misguided "reformers" often allow inmates extra privileges, perhaps feeling that treating them with kindness will produce reciprocal good feelings. This principle is good management when dealing with company employees, who are non-criminals, but it doesn't work with convicts because their orientation is simply to exploit any relationship. Loosening the chains of discipline often leads to testing behavior, with inmates trying to see how far they can bend or break the rules. This is why prison "reform" so often leads to disorders, instead of improvements.

Timely imposition of power is essential to avoid a power vacuum. If officers are not firm in applying and enforcing rules and appropriate discipline, they create a power vacuum which con-wise inmates will exploit.

There are certain inmates who may have considered themselves "big shots" on the outside, and it's expedient to convince them as quickly as possible that they're exactly the same as anyone else inside the walls. Al Capone, for example, found that at Alcatraz he had to wash his own laundry, as did the other prisoners.[2] Any of these former big shots can be natural leaders, and thereby cause problems for the officers. Making them humble quickly shows other inmates that the former

big shots hold no power at all inside the walls, and reduces the tendency to look to them for leadership.

Another reason has to do with security. As we'll see, an important step in preventing a riot from spreading from one institution to another is preventing the news from reaching the inmates. It would be counter-productive to explain to inmates that visiting has been suspended because of riots elsewhere.

Another reason for total abolition of rights is behavior modification. It's important to keep the inmate mentally off-balance for as long as possible during his stay by making it clear to him that he's not entitled to anything, not even food, unless his behavior is correct. He has no rights, only privileges which he must earn. The prison administration can award certain privileges in return for good behavior.

Good behavior includes:

1. Following all orders promptly, without argument.
2. Keeping his person and his cell neat and clean.
3. Following the prison schedule closely.
4. Not trying to obtain contraband of any sort from officers, visitors, or other inmates.
5. Not participating in any escape attempts.
6. Avoiding all loud, boisterous, or violent behavior.
7. Avoiding all sexual contact with other inmates.
8. Behaving in a proper and civil manner towards officers at all times.

The other side of this positive reinforcement is punishment. Violating rules can result in a term in solitary, and a bread and water diet, as well as other reprisals.

Head Counts

A regular program of counting inmates several times each day is essential for control. The minimum number of counts of the entire inmate population is three per day: one in the morning, one in the afternoon or at dinner time, and one shortly before lights out. Good security also suggests a count in the middle of the night, when all inmates should be in their cells. An occasional surprise count, awakening all inmates and having them standing gripping the bars, helps keep them off-balance and makes it more difficult to plan an escape.

Inmates should stand facing the walkway and gripping the bars during all cell counts. This is to forestall substitution of dummies to cover an escape. Bed checks during the night aren't very helpful, because there have been instances of inmates

simply stuffing pillows and extra blankets into their beds to simulate the bulk of a sleeping human body. Some have even made realistically painted heads to enhance the illusion.

All movements from a cell block to another part of the prison require a count. If it's necessary to take ten inmates to the infirmary, the escorting officers should count them before leaving and after arrival. This is critically important if the trip takes them outside the walls for even the briefest time.

All officers report their counts to the central control room, where the staff compares the numbers with records of population, including admissions and releases, to determine if the proper number is within the walls. Any discrepancy is justification for a re-count, although this may include only the section where the discrepancy takes place.

Transportation

Transporting inmates between the city or county jail and the prison must be in a secure manner. Typically, there are special vehicles, such as buses with barred windows and a cage for the driver, to impede escape attempts. An additional security measure is handcuffing each prisoner and looping the handcuffs through a transport chain. The chain is a tow chain, looped around the waist, and secured with padlocks. It effectively prevents mass or individual escapes. It's practical to chain prisoners together in groups of ten.[3]

There are also various models of transport belts, some secured with locks, Velcro, and other fasteners. These are trendy, but they offer no real advantage over the traditional chain.

There are expedients for use when chains are too cumbersome or simply unavailable. One excellent way of ensuring security during transportation is to handcuff pairs of prisoners cross-wise, with one's left wrist cuffed to his partner's right. Another way is to chain prisoners to metal eyes set in the van's floor, or attached to a structural member.

Censorship

Control of both incoming and outgoing mail is essential to security. Mail can serve as a vehicle for smuggling contraband, and for arranging escape attempts. Incoming mail can contain chemicals such as LSD, or cocaine, sprayed on the paper and allowed to dry. Death row inmates are under especially strict control,

receiving only photocopies of mail, except for attorneys' letters, because of the possibility of suicide by ingesting a poisoned letter.[4] Strict control can make it more difficult for prisoners to abuse the privilege.

For those inside the walls, mail *is* a privilege. This is part of a behavior modification program that begins the moment new arrivals step inside the walls. A practical purpose to mail control is limitation of the work load on correction officers who must read and censor all mail. Restricting inmates to a fixed number of letters per month is a way of coping with the work load.

Court decisions continue to affect prison censorship. The New Jersey Supreme Court, for example, recently ruled that inmates may send uncensored mail to public officials, government agencies, and the press.[5] The court did, however, recognize that legitimate security reasons exist for mail censorship. Security risks are minimal when the mail is addressed to government employees and the media. However, con-wise inmates can still cause serious problems for administrators by their contacts with the media and government agencies.

An important aspect of censorship deals with inmates' access to the media, both as participants and as consumers. One obvious point is to limit as much as possible media access to inmates. Street-smart inmates take every opportunity to propagandize for concessions from the prison administration. Allowing media interviews only gives them the chance to present themselves as "victims of society," to solicit sympathy from naive citizens.

Any books, magazines, and electronic media programs entering the prison are subject to review before release. Obviously, it's undesirable to allow inmates to receive books dealing with prison escapes, martial arts, techniques of law breaking, and other anti-social skills. It's also good security practice to censor the news, including newspapers, news magazines, and radio and TV news. The reason is that prison disorders come in clusters. This makes it plain that, when riots occur in several prisons in widely separated areas in the country, the only explanation is the "copycat" effect. Each riot serves as inspiration for the next. Censoring the news short-circuits this process.

During the first years of Alcatraz' operation as a criminal prison, all media were forbidden. Inmates did not receive newspapers, magazines, books, or anything else from outside the walls. Rules allowed inmates to correspond only with relatives, once a week at the maximum, and officers censored all mail.[6]

Later, the warden relaxed the rules, and allowed more letters, but still only to persons on an approved list. Two outgoing and seven incoming letters were the limits. There were also limits on topics allowed for discussion. Forbidden were discussions of other inmates or "institutional affairs."[7]

Officers censored newspapers and magazines, cutting out articles and photographs they considered objectionable. These included mention or photographs of any inmates, anything to do with crime or with weapons, and anything else which, at the censoring officer's discretion, was unsuitable fare for the inmates.

Also included in the censorship process is isolating new arrivals, to control the word-of-mouth news inmates receive from outside the walls. In turbulent periods, it's desirable not to release new inmates into the general population until the news they carry is old news.

Visitor Control

Any inmate who wants visitors must present their names for approval, and no inmate may receive visits from anyone, except his attorney or an official visitor, not on the approved list. The procedure is to check each requested visitor with local and national data banks, to make a determination regarding whether this visitor is a security risk. The rule of thumb is that no inmate may receive visits from anyone, other than a relative, who has had a felony conviction.

All visitors are subject to search, and they may bring with them only approved materials, specifically excluding any alcoholic beverages, drugs of any sort, and weapons of any sort. There should be a procedure to screen all packages visitors bring in for inmates.

There must be a special visitor's room, with chairs and tables, under constant observation by officers. Access to the visitor's room on the visitor's side is through an electronic gate, to screen for metal objects. Inmates are subject to strip search immediately upon leaving the visitor's room, as a safeguard against contraband. Failure to do so can result in systematic smuggling of materials, as happened at Green Haven Prison. Each cell block and many organizations, such as the Holy Name Society and the Jaycees, is allowed to hold an annual picnic, and inmates may invite two outside visitors to each picnic. The result is a crush of people, and the few officers assigned to the picnic don't have time even to pat-frisk most inmates.[8]

Searches

Contraband, which is any item neither issued nor authorized, is present in every prison. Contraband can serve as trading or gambling currency, and some forms, such as drugs and weapons, are dangerous. Experience has shown that inmates

should not have money, partly because it aids the illegal drug traffic. In one prison, prohibiting inmates from having large amounts of money on their persons put a crimp into the drug traffic.[9] In the same prison, one inmate had gotten mugged for the large amount of money he carried on his person. Another reason to ban money from the inmate population is that it can serve to stake an escape. Once outside the walls, an inmate can pay for food, clothing, and transportation with his stash of cash.

One way of coping with contraband is close control of all incoming materials. Another is a program of surprise searches, or "shakedowns." "Tossing" a cell block usually discloses contraband.

The best time for a search is when the cell block is empty, with inmates away at meals or work assignments. This avoids the hassle of objections from inmates, who may react violently when they see an officer throw their possessions onto the floor. Guards should examine everything, and be as disruptive as possible. Tearing apart beds, and leaving sheets and mattresses on the floor, puts increased pressure upon inmates. This raw expression of power makes it clear to them that the prison administration can do whatever it wishes, regardless of how inmates feel about it. Intimidation is valuable as a control measure.

Although it may appear oppressive and unnecessary to a civil libertarian, a surprise mass search can return good dividends. A surprise search at Green Haven, a maximum security prison in New York State, in December, 1972, turned up hundreds of improvised weapons, mostly sharpened mess hall knives.[10]

Surprise personal searches of inmates are also part of the program. This can be a quick search, using hand-held metal detectors, at the entrances to the mess hall, recreation hall, and yard. Metal detector gates should be at all exits from mess halls, work shops, and other places where inmates may procure improvised weapons.

A more comprehensive pat-frisk search will disclose non-metallic contraband, which is why a metal detector search is never an adequate substitute for a hands-on search. Officers doing physical searches must be thorough, and consistent. Inmates observe officers conducting searches, and are acutely interested in whether a particular officer searches thoroughly, or if he skips over certain areas lightly.

It's necessary to frisk the groin area, as well, and it's important not to allow inmates to deter officers from doing this with remarks implying homosexuality. Street-smart inmates use this trick to fool police and correctional officers. Any officer who skips part of the search because he allows an inmate to fake him out creates an opening, and inmates will take advantage of this.

Strip searches are also beneficial, because not all contraband is metal. A toothbrush, for example, can become a "shiv" with a little modification. A strip

search should include examination of all body orifices, including rectal and vaginal examinations. In many American states, body cavity searches are permitted only when done by medical personnel.

Anyone conducting a body cavity search must wear latex gloves because of the risk of infection. AIDS is in the headlines, but in fact, syphilis and hepatitis are far more contagious. Officers should be aware that the risk of spreading an infection to their families is far greater with hepatitis and syphilis than with AIDS, and that there are deaths from these diseases, as well.

Confiscation is also part of the program. Officers should confiscate contraband, and any inmate's personal property used to conceal it. This enhances the penalty for discovery, and increases the risk for any inmate considering harboring contraband. There's also a case for routine confiscation of possessions. It's not practical to search everything every day, and inmates know this. Many are very clever in finding novel hiding places for contraband, but a program of random confiscation of possessions helps defeat this. It also helps to reinforce the feeling among prisoners that they are under total control by the staff, and that prison officers can do what they wish, without regard for any prisoner's "rights."

Another aspect of searches with which the administration must deal is whether to search officers entering or leaving the premises. If there's flagrant smuggling by officers, the administration may consider such a policy, mindful of the effect upon officer morale. A compromise measure would be to have metal detector gates at all entrances to the prison, so that anyone passing through would be subject to electronic search. This would avoid singling out and stigmatizing officers, but would be ineffective in stopping the smuggling of drugs.

A better way is aggressive follow-up of any case of smuggled contraband inside the walls. Intensive interrogation should persuade an inmate caught with contraband to reveal his source, thereby allowing prosecution of any officer engaged in smuggling.

Rotation of Inmate Population

An important goal is to prevent inmates from forming friendships and alliances. One way to combat alliances and cliques is to rotate cell mates frequently. Removing inmates from their cells and changing work assignments also helps disrupt escape plans.

Rotating inmates in their cell billets and work assignments also helps avoid attachments forming between inmates and officers. Street-smart inmates are prone

to try to manipulate officers by playing upon sympathy, and will even try to bribe them if they can.

Transfers between prisons, sometimes known as "bus therapy," are helpful in breaking up gangs and informal associations. Some intelligent or charismatic inmates appear to be natural leaders, and it's important to minimize their influence over others by regular transfers. All transfers should be surprises, for maximum shock effect, and to promote security. The ideal program goes as follows:

The inmate receives notice of his transfer when officers come for him, always away from his cell. This prevents inmates' organizing a revolt, as they did in Joliet in 1975.

Officers tell him that he may not take any belongings with him, but that they will soon follow. This prevents an inmate from taking contraband from hiding and secreting it within his effects. Officers search all belongings before shipping them to the inmate's new address, to prevent any illicit material from following him.

Informers

One of the strictest rules of inmate culture is to avoid giving any information to the authorities. A typical example occurred at Arizona State Prison in 1941. One inmate attacked another while both were standing in a line. Officers did not see the attack itself, and every inmate on that line denied having seen anything, as well.[11] However, inmates will fink to the officers if they can do it in secret, and gain an advantage for themselves. Even Alcatraz, with its complement of hardcore felons, had its quota of informers. These leaked word to officers before many disturbances.[12]

This allows every competent prison guard and administrator to develop his private cadre of snitches. Prison life involves deprivation, and some inmates are constantly currying favor. Guards and administrators maintain control partly by a system of "privileges," which they can grant or withhold.

Some officers, like their outside counterparts in the police, bend or break the rules to reward their informers. An officer may overlook or forgive infractions of prison rules by his snitches. He may also reward a snitch by allowing an extra privilege. One homosexual informer's guard put him in a cell next to his boyfriend's cell.[13]

Some inmates carry "good behavior" as far as informing on their fellow convicts. There is truly no honor among thieves, which is why prison

administrators often know more about the happenings inside their prisons than many inmates would think possible. At Arizona State prison, one inmate snitch alerted the officers the night before a riot was due to begin. This allowed them to prepare for it, and next morning they kept all inmates but a few essential kitchen workers confined to their cells, forestalling the disorder.[14]

Other inmates may not willingly reveal information, but it's important to put pressure on them if caught in any illicit activities. Anyone possessing contraband, for example, is a potential informer who can reveal his source, as we've seen. A program of actively encouraging informing on other inmates can bring great benefits. Among the important details worth discovering are:

- Inmate organizations.
- Inmate leaders.
- Escape plans.
- Smuggling means and routes.
- Location of contraband.
- Identities of officers smuggling for inmates.

Surprisingly, some authorities disdain the use of informers, stating that this increases paranoia and suspicion among inmates.[15] The problem with this viewpoint is that it fails to recognize that paranoia, and mutual suspicion, are forces which divide inmates, and work against their forming alliances against the staff. "Divide and conquer."

Safeguarding informers is a major concern, not out of compassion for them as people, but simply to avoid potential informers being deterred by danger. When dealing with a criminal population, it's not surprising that some will kill to settle scores in prison. A certain proportion are confined for capital murder and have nothing to lose by killing again. Some snitches are killed in the shower, or the mess hall, while others meet death or torture during riots and escape attempts.

A riot offers splendid opportunities for killing informers, as well as settling personal scores. During the 1980 riot at the New Mexico State Penitentiary, several inmates entered the cells of various informers to settle the score. In most instances, they mutilated and tortured the snitches. A few were burned to death with acetylene torches, some were castrated, and others were killed outright.[16]

In POW camps, there have been instances of prisoners being court-martialed, and even killed, for informing on other prisoners. German POWs in Cultybraggan Camp, in Britain, court-martialed one of their number for passing information about an impending escape to British camp authorities. Sergeant Wolfgang Rosterg was found guilty and executed. British authorities, however, did not recognize the legitimacy of the camp court-martial, and tried six of the prisoners involved.[17]

Polish officers in Colditz, a German POW camp during World War II, court-martialed one of their own for informing. The verdict was death, and some officers wanted to hang him, but the senior Polish officer informed the senior British officer, who in turn spoke with the German commandant and had the man transferred.

There are many opportunities to arrange clandestine meetings to pass information. The prisoner/informer can be summoned to meet with his attorney, as far as the rest of the prison population knows. Another opportunity is a parole board hearing. Yet another is a trip out of the prison for a "court appearance."

There are also mistakes to avoid. Inmates tend to be suspicious, and if correction officers confiscate contraband or other material, such as that for use in an escape, the first concern will be their source of information. Inmates will try to trace the leak, and take reprisal against the informer. This is why it's vital not to act immediately on information received if it endangers an informer still within the walls. One way to confiscate material exposed by an informer is to stage a routine search and "discover" the contraband during the search. Another is to transfer an inmate denounced as custodian of the material in question, and to uncover the contraband during the routine search of his belongings that accompanies a transfer.

The other aspect of handling informers within the walls is to ensure that they're more afraid of the prison staff than they are of other inmates. This requires a program of pressure on uncooperative inmates, and protection for those who work with the administration.

Internal Security

There may be an internal security problem with the guard force. This is why there must be constant control of the officers, with similar security measures.

Good internal security practice requires a code of conduct for prison officers. The code should cover at least the following points:

- No fraternization between officers and inmates and their families. Inmates exploit friendships for personal advantage, and guard training should explain this.
- Officers should limit conversations with inmates to the minimum necessary to perform their duties. Familiarity breeds contempt, especially in a correctional setting, and being friendly to inmates appears as a sign of weakness.

- Officers should not answer inmates' questions about prison security measures, nor give out any information about other officers or supervisors to inmates.
- Officers should refuse to carry letters, messages, or packages for inmates, especially anything going out or coming into the prison.
- Officers also should not associate with former inmates or their families.
- Officers should also report to their supervisors any inmates whom they know from the outside, or to whom they are related in any way.
- Officers should not accept any gifts or favors, no matter how small, from any inmates or their families.
- Officers should not lend money to, or borrow from, inmates or their families.
- Officers should report to their supervisors any and all violations of these rules, by inmates, their families, or other officers.
- Officers should not use excessive force on inmates, or appear to be enforcing institutional rules excessively or selectively.

It's important to enforce these rules rigorously, but more important to explain to new officers why these rules exist. Officer corruption can begin with bumming a cigarette from an inmate. Inmates are sensitive to human weaknesses they can exploit. It's particularly demoralizing for prison officers to know that others, wearing the same uniform as they, are helping inmates smuggle contraband, including weapons. Correction officers sometimes decide to supplement their paychecks by smuggling for inmates.[18] This points up the need to observe the code of conduct strictly, and to ensure that other officers do so as well.

A specific security measure which will both pin down a problem and deter inmates from enticing officers to smuggle anything out of the prison is to require the officer to agree with the inmate, and to accept the material. He then immediately reports the incident to his superior, and turns over the material as evidence. This allows building a solid case against the inmate at a disciplinary hearing. It also creates an atmosphere of uncertainty when an inmate hands something to an officer to smuggle out. The inmate can never know if the officer will really do it, or if he'll turn him in to the administration. Another tactic is to require officers to write a short memo of a solicitation to break the rules by any inmate, and to put it in the inmate's security file.

Inmate Security Files

These are internal records, not formal records of arrests and convictions in the criminal justice system. The purpose of an internal security file is to document an inmate's behavior as it relates to the security of the institution, and as a guide to

evaluating how much of a security risk a particular inmate is. This information is valuable when deciding whether or not to allow an inmate trustee status, or to grant a weekend pass. This is also the type of information a parole board will want to see.

Information in each inmate's security file should include, but not be limited to:

- Reports on escapes and escape attempts.
- Reports of violence, actual or threatened, against an officer or inmate.
- Reports of disciplinary action taken for infractions.
- Reports of contraband found on the inmate's person, in his cell, or in his work area.
- Reports of attempts to bribe officers, or to persuade officers to break institutional rules.
- Reports of manipulative behavior by inmates.

This last category might appear to be petty and unimportant, but inmate manipulative behavior can be very subtle, and officers can build up a picture of deceit only by observing a pattern. An inmate who, for example, acts sympathetically towards an officer whose wife has just died may claim that he, too, is a recent widower. The record may show, however, that this inmate's wife has "died" several times during his sentence.

Handling Threats Against Officers

Although it's not common, occasionally an inmate will threaten an officer. Some inmates may, in a fit of anger or frustration, say something threatening, such as, "I'll kick your ass." Officers should report any and all threats, whatever the circumstances, because documenting these is critical in evaluating an inmate's behavior. Any inmate who utters a verbal threat is subject to disciplinary measures, which should be appropriately severe.

Some threats, however, are not merely words uttered in anger, but meaningful because they're credible. An inmate who tells an officer that he knows where his family lives, and mentions details such as the school attended by his children, shows that he's serious. If he states overtly that he has friends outside who will harm the officer's family, the situation becomes deadly serious. The threat may

not come from an inmate. Instead, there may be an anonymous note mailed to the officer's home. In such cases, it's not too hard to assess responsibility, following events within the walls. An officer may have reported an inmate for disciplinary action, or otherwise created ill-will.

A threat to oneself or to one's family can be very disturbing, especially if it's obvious that the inmate has friends outside the walls who are perfectly capable of carrying it out. However, there is a way to counter any threat, and it works particularly well in a custodial environment, where the person who utters the threat is under the administration's control.

This is why any officer who receives a threat, no matter how veiled or indirect, should immediately report it to his superior officer. If the situation appears serious, the superior officer has the inmate in question brought before a panel of command officers, to explain precisely what he meant by his words. They make it clear to him that threatening an officer is very foolish, because the inmate is under the administration's total control. They also point out that if anything happens to the threatened officer, or his family, they will hold the inmate personally responsible, and take appropriate reprisals: "Look, Bozo, we've got you in here, where we can find you whenever we want." If the inmate doesn't appear to take heed of the message, officers should punctuate it with a few jolts from a stun gun, to ensure that they have the inmate's attention. Several months' detention in solitary will reinforce this point.

This drastic procedure is both moral and necessary. A threat that is both credible and deadly creates a self-defense scenario, which justifies extreme defensive measures. However, unlike other deadly force scenarios, it's neither justifiable nor practical to use immediate deadly force upon the inmate. The reason is that this won't necessarily avert the threat, because confederates outside the walls will be the ones acting on it. Instead, it's important to deliver a credible counter-threat, as described above.

Another important security measure is to have a prepared plan to safeguard an officer's family. If the threat appears credible, and putting pressure on an inmate doesn't appear to be adequate to forestall the threat, it becomes necessary to evacuate the officer's family, possibly to another state, well out of reach of the people making the threats. In this regard, liaison with the U.S. Marshal's Service can be very helpful in procuring know-how, because of their vast experience with the U.S. Justice Department's Witness Protection Program.

Prison Discipline

Enforcing discipline in any prison is the main task, because the success of discipline will determine the success of all other programs and objectives.

Disciplinary failures lead to a cracking of the internal structure, and an increase in inmate assaults, smuggling, and escapes.

Discipline for its own sake is both pointless and counter-productive. The "Auburn System," named after the New York State prison of that name, was designed both to keep order and to create an oppressive atmosphere. Under the Auburn System, inmates marched to mess halls and work assignments, total silence except during designated periods was the rule, and enforcement was strict.[19]

Discipline is counter-productive when it increases tension within the walls, and leads to violence. This is why some prison administrators look the other way regarding homosexuality among inmates. Allowing some form of sexual release, as long as it doesn't become too blatant or lead to gang rape, helps reduce tensions.

A delicate point is handling of prison gangs. No effort, except total individual confinement, can prevent the forming of cliques and gangs, but it's possible to institute intense efforts to suppress them. Membership can be a cause for disciplinary action, for example.

There are two sides to this policy, however. One is that the very existence of cliques and gangs creates a shadow government, an invisible administration running the prison in parallel to the legitimate one. Gangs also lead to violence, if there is rivalry that breaks out into an overt power struggle. There can easily be stabbings often leading to death, and these create notoriety for the prison. The competency of the administration comes into question, creating a politically unhealthy atmosphere.

The other aspect of gangs is "divide and conquer." Having groups of inmates fighting each other directs effort away from fighting the administration. This argument doesn't appear to hold much water, however, except for administrations staffed with very lazy or incompetent people. Any competent administration should be able to keep the lid on, gangs or no gangs.

One study revealed that there are more riots in maximum security prisons.[20] This is hardly a profound insight, as maximum security is reserved for hard cases and trouble-makers. This study also showed that older prisons have higher rates of disorders. This, too, isn't surprising. Inmates are less likely to provoke disorders in modern prisons, which prevent congregation of large groups, and which contain surveillance equipment and tear gas dispensers to control disorders.

Each prison administration must have a set of rules for inmates to follow, as noted above. Individual officers are responsible for observing inmates to ensure that they follow all rules. Officers will report all violations in writing, and superior

officers are responsible for arranging punishment for each infraction. In some cases, infractions are serious enough to rate a formal hearing by prison administrators.

Where possible, these hearings will be quick and simple, avoiding procedures involved in court trials. There's no need for them in prison, as long as there are no outside court decisions forcing prison administrators to follow judicial procedures.

There are two important differences between administrative hearings within the walls and trials outside. The first is that administrative hearings should never be open to the public, or to the prison population. There's simply no need to have any other inmate present, to act as an observer or even a heckler.

The other point is that any disciplinary hearing, formal or informal, presents an opportunity to persuade the inmate to trade information for leniency. In every case, officers should provide the inmate with the choice of accepting the disciplinary measures, or mitigating them by trading information. Obviously, this is workable only during a closed hearing. An inmate facing six months in the "hole" may be tempted to inform on another.

Prisoner Organizations

In every prison, inmates form alliances and gangs, sometimes based on ethnic ties, and in other cases on criminal alliances, such as the "Mafia." These organizations will form, regardless of any efforts by the officers, but intensive suppression can keep them from being effective.

In POW camps, prisoners form their own organization, headed by the senior officer present. As military men, they have their chain of command, and they administer the prisoners in parallel with the captive power. As POWs are military men, and not criminals, it's both permissible and expedient to allow the prisoner organization to work with the camp administration to oversee distribution of food, clothing, and medical care, as well as mail and packages from home.

POW camp administrators must note, however, that POW organizations often serve another purpose as well. American POWs were under orders to "harass" the enemy whenever possible. The purpose was to degrade the enemy's war effort by forcing him to assign extra personnel to camp security, taking them away from other parts of the war effort. In some cases, enforcing internal security involved screening out potential informers, and even executing impostors and informers by drowning in the camp latrine.[21]

The POW organization also coordinates escapes. There's an escape committee, which scrutinizes and authorizes all escape plans, and allocates materials and personnel for their implementation.

Another type of prisoner organization is the religious group. This type is especially dangerous because it exploits the traditional American tolerance, by law and by custom, for people of diverse faiths. There are, unfortunately, enough credulous people who will believe that convicted criminals are sincere regarding their religious convictions, without questioning how, if they're so devout, they ended up in prison. This allows canny inmates to use "religion" as a manipulative tool. Under color of religious observance, they may demand special diets, special holidays, and other privileges, in an effort to take advantage of the system. Some court decisions have aided this, as in the case of Black Muslims demanding a pork-free diet.[22]

The net result is that inmate "religious" groups will continue to plague prison officers and administrators, because they can attain a quasi-legitimacy and mobilize support outside the walls. Those with particularly aggressive members will use "religion" as a form of political activism.

Outright political activism has taken place, with a "prison union" forming at Folsom Prison, California, in 1970. Because of a failure by prison officials to stop this movement immediately, unionism spread to other states where the political climate was receptive, such as New York and Massachusetts.

Disciplinary Measures

Prisoners have seen a variety of disciplinary measures, including some very exotic ones, used to keep them under control. Today, practical disciplinary tactics are well-developed, and render unnecessary the exotic ones of the past. Zany and elaborate devices, such as the rack and the iron maiden, provoke the question of whether they exist for the benefit of discipline, or to satisfy some sick minds among the guard staff. Complex devices also provide good subjects for sensationalistic journalists, skilled at distorting news for the sake of building audiences.

At the Yuma Territorial Prison, in Southwest Arizona, guards used to drop scorpions on unruly inmates in their cells. Cots were bolted to the floor, directly underneath holes in the roof, so that the scorpions would land right on the sleeping inmates. Other prisons had imaginative forms of "solitary" for disciplining troublesome guests. Modern discipline is both simple and cost-effective.

The basis of modern discipline is twofold, involving both privileges and punishment. Minor infractions result in suspension of privileges. Major infractions,

such as attacks upon prison officers or escape attempts, can result in administrative or physical discipline. This can include:

1. Solitary confinement.
2. Monotonous diet.
3. Hard labor.

Major physical punishment no longer involves what used to be called "corporal punishment." At Green Haven Prison, officers taking an inmate to segregation used to stop the elevator between floors and administer the "lumps and bumps" behavior modification system. Some officers speak wistfully of the old days.[23] Whipping with a lash or blackjack is technologically obsolete. Today, it's possible to impose discipline by other means.

Solitary confinement is a means of control, but for maximum effect, it must be under rigorous conditions. A "strip cell," devoid of features and fixtures, is the ultimate practical isolation. The strip cell has no bunk, mattress, blankets, or toilet, except for a hole in the floor. Officers strip the inmate naked before confining him to the strip cell. Food comes in plastic bowls, and the inmate eats with his hands.

During the early years, Alcatraz had special underground cells, known as "dungeons," for isolating especially troublesome inmates. These had no fixtures of any sort, and no illumination. Inmates slept on the floor, and a hole in the center of the floor served as a toilet.

Jolts with a stun gun are painful, and good substitutes for flogging. Close confinement in a cell, and spraying in tear gas, makes the atmosphere very unpleasant. An alternative is using an aerosol product, such as Mace or Cap-Stun, sprayed directly on the inmate's face. These cause immediate choking, loss of vision, and loss of muscle control. Heavy or repeated doses cause collapse.

The value of both of these technological means of discipline is that, once an inmate has experienced it, he doesn't want to go through it again. Additionally, about ten percent of people have a strong and irrational fear of electricity, and just the threat of punishment with a stun gun can obtain immediate compliance.

There are low-tech means of punishment which are almost as effective. They're much cheaper because they require no special equipment, only ordinary household objects and substances. One is pouring Coca-Cola or Seven-Up into the nostrils of a suitably restrained inmate. Effervescent liquid causes gagging, but without permanent injury. Another is to pour liquid laundry detergent into the eyes. Even if the inmate sees it coming, and screws his eyelids shut, the liquid will eventually penetrate, causing intense irritation.

Yet another technique of laundry room discipline is a cupful of ammonia or chlorine water thrown into the face. Contact with the eyes causes intense pain, and breathing ammonia or chlorine vapor causes choking.

Probably the best aspect of these forms of discipline is that, if properly used, they leave no marks. This can be very important, especially if the inmate has regular visitors.

It's not necessary to advise any inmate of his "Miranda Rights" before interrogation when investigating a matter that will result only in administrative discipline. The Miranda warning is required only if contemplating criminal charges. A couple of court decisions have required that there must be "due process" before imposing punishment for major violations of prison rules, and that this requires a formal hearing. However, inmates have no right to counsel, and no right to cross-examine their accusers.[24]

The system of streamlined hearings used for inmate discipline does not have the encumbrances of criminal trials on the outside. This allows prison discipline to be swift and sure, without a succession of endless appeals that can delay justice indefinitely.

These disciplinary measures, however, have severe limitations. One is that they don't work well on incorrigibles. Some inmates have serious personality problems, and are practically immune to correction by physical force. Experience in the New York State penal system during the last century showed that flogging did not work well in maintaining discipline. The evidence was that flogging had to be very frequent, which showed that it could not be more than marginally effective.[25]

Dealing With Troublesome Inmates

Some inmates, because they're leaders, escapers, jailhouse lawyers, or otherwise disruptive, are prime targets for counter-action. When it becomes vital to neutralize a disruptive or troublesome inmate, a transfer to another facility is quick and easy. The problem with transferring a troublemaker is that this merely passes the problem on to another warden, in the other jurisdiction. Sooner or later, the troublemaker will build up his influence in his new surroundings, and resume causing problems for the administration.

Another way is to keep the troublemaker in isolation. A strip cell, with no communication with other inmates, is the institutional "deep freeze." A block of strip cells allows keeping especially difficult people neutralized indefinitely. There's no valid reason why a particularly troublesome or dangerous inmate can't spend his entire term in isolation.

Neutralizing a troublemaker through psychiatric treatment is an increasingly interesting possibility, and we'll discuss methods of neutralization in the chapter on psychiatric treatment. Adequate psychiatric neutralization is permanent and cost-effective.

The ultimate sanction is, of course, to arrange his demise. One effective way to do this is to lead other inmates to believe that the target is an informer, so that they take reprisals against him. If, for example, an informer advises the staff of a cache of contraband, officers can take the targeted inmate into a room for a chat, letting other inmates see this happen. Immediately after letting the targeted inmate out, officers raid the suspected premises, going straight to the cache, and confiscate the goods. This "frames" the target as an informer, and makes it likely that other inmates will injure or kill him.

Another way is to allow an inmate to "overhear" a conversation between two officers that mentions the target as an informer. A cruder way is to bring one inmate leader in for interrogation, and to tell him that the target informed upon him. All of these methods avoid the need for officers to actually execute an inmate, but they can accomplish the same purpose.

The Special Squad

Each institution needs a special detail for demanding assignments. Some institutions call this the "Emergency Unit Staff," or "Confrontation Unit." A name used at Green Haven is "CERT Team," (Correctional Emergency Response Team). Cell extractions of unruly or unwilling inmates takes a special detail, trained and equipped for the task. Riot control, recapture of areas from inmate control, and special escort duties are other assignments a special squad may perform.

The special squad typically has physically large and strong officers as members, partly because physical strength is often necessary to control inmates, and partly for intimidation. Basic equipment can be face shields, body armor, gloves, batons, tear gas, stun guns, and Cap-Stun.

To be effective, the squad must train regularly, both to learn new techniques and remain skilled in traditional ones. The most important reason, however, is to learn the coordination necessary to work together as a unit.

Cell extraction is a basic technique. The old way was to overwhelm the inmate by weight of bodies, and to drag him, struggling and screaming, out of his cell. At the time, officers would put the inmate into a strait-jacket for prolonged control. Today, dosing him with a spray of Cap-Stun will render him inoffensive, and he'll

remain incapacitated long enough to allow applying a restraining belt or straitjacket. Using Cap-Stun as an initial incapacitating agent saves injury to both officers and inmates. A stun gun can deliver incapacitating jolts periodically if the inmate continues to struggle.

The special squad can also enter a cell block to remove inmate agitators. In many cases, news of an impending riot or disturbance comes to officers through their networks of snitches, allowing time to mobilize the special squad. If the information is specific enough, it may be possible to short-circuit the disorder by taking the leaders into custody and placing them in an isolation block.

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• 7 •

Reform and Rehabilitation

The controversy between the punishers and the reformers is as old as prisons themselves. The word "penitentiary" came from the concept of making confined criminals "penitent," by close confinement and the opportunity to reflect upon the errors of their sinful ways. The other view is that prisons are for punishment, and that the convicted criminal owes a "debt" to society, which he must pay to earn his release.

Through the years, there have been charges that prisons were too lax because of the bleeding heart reformers. Some critics refer nostalgically to prison policies of a previous time, when there was no coddling of convicts. Even in Great Britain, the pattern has been the same, with claims that in bygone days severity kept crime under control.[1]

Prison overcrowding has been a recurrent problem. Some states, with mandatory sentencing laws, have severe problems, and federal court decisions regarding "double bunking" have added to the squeeze on prison administrators.

Classification and Segregation

Prison administrators have long known that there are different classes of offenders, requiring different procedures, and even different institutions, hence the distinction between penitentiaries and reformatories.

Reformatories, which should be minimum security institutions, should concentrate on preparing inmates for re-entry into the mainstream. This is where vocational rehabilitation and other programs offer the most promise. A competent rehabilitation program must also concentrate on minimizing the inmate's alienation from mainstream society, because the alternative is for the inmate to

become part of prison society, and to adopt the attitudes and values of hard-core careerists.

Conjugal visits can help here, because they help maintain the inmate's ties to the outside, to which he'll soon be returning. Conjugal visits are practically unknown in American prisons, because of our puritanical heritage and tradition, but they're part of penal practice in several foreign countries.[2]

Conjugal visits can only work in minimum security prisons. The practical problems in maximum security prisons are such that any sort of contact with the outside is undesirable, because inmates are too skilled at exploiting them for other purposes.

Work-Training Programs

Whether known as "vocational rehabilitation" or another name, all work training programs are of limited value to the types of inmates they allegedly serve. A basic fact is that many, if not most, prison inmates are semi-literate or illiterate. Many cannot absorb education of any sort, even if they're willing, which most are not. An example is the educational program at Green Haven Prison.

In 1968, there was a budget of $3,200, and eight paid teachers, which grew to several hundred thousand dollars and 43 paid teachers by 1976. The main effect of the increase in the program was, according to the program supervisor, that inmates were able to steal more textbooks.[3]

Early Release Programs

There have always been forms of early release programs, even though at times they've caused severe problems of their own. One type of early release serves as a means of control over prison inmates. "Good time" is time off sentences earned for good behavior. The model prisoner gets credit for two or three days of his sentence for each day he serves without breaking prison rules, or coming to the attention of the staff in a negative way.

In one sense, this system has within it the seeds of its own destruction. Prison officials can punish an inmate for infractions by withdrawing or canceling his good time, in whole or part. Some civil libertarians have stated that this amounts to conviction without trial, and they may succeed in pushing their viewpoint far enough so that prison officials may no longer withdraw good time, once awarded.

One answer to this problem is new legislation, enabling prison administrators to be the final determinants regarding good time awards and their revocation.

Parole

Another system is "parole," early release of those whom the parole board feels are good candidates for reform. This has its roots in the last century, when British prison administrators awarded a "ticket of leave" to any prisoner whom they felt it would be safe to release.[4]

A serious problem with this is that parole board members are typically ordinary citizens, not professional penologists. Some allow street-wise convicts to fool them. Manipulation of parole board members is a skill upon which confined criminals concentrate much effort, because swinging even one vote on the parole board can make the difference between immediate freedom and years of additional confinement.

Arbitrary early release comes about through court orders reducing the size of the prison population. These are the administrator's nightmare, because he must then choose a number of convicts whom he feels will pose the least threat to society if released. In one sense, early release is better than parole, because the choice of whom to release is the prison administrator's. He knows his charges better than do members of a part-time parole board, and he has the longitudinal view, being familiar with their records.

Deterrence

One school of thought has been that punishment deters. Although this is apparently logical, and superficially appealing, detailed examination shows that punishment deters only law-abiding citizens, at best.

Most crimes are not reported to the police, for various reasons. A crime may be too petty, the victim may feel that police will not be able to solve it, or the victim may decide to deal with it himself. Most serious crimes reported have a very low clearance rate. Burglary, for example, has an overall clearance rate of 14%, according to FBI statistics. Even homicide has a clearance rate in the mid-70s. "Clearance" means that the police close the case, satisfied that they have found the perpetrator. In many cases, clearance means simply that. Police do not always arrest the perpetrator, and prosecutors do not always prosecute those whom the police arrest. Sometimes, there's insufficient evidence, or a plea bargain, resulting in the prosecution's dropping one or more charges. The net result is that

less than 1% of the people who commit crimes receive prison sentences. With this very low success rate, the criminal justice system does not deter.

Despite the very poor odds, some perpetrators do see the inside of the walls. These are the very stupid, who cannot execute their crimes competently enough to escape detection and prosecution, the very unlucky, and the repeaters. Although the odds are overwhelmingly in favor of the perpetrator who commits a single crime, the chances of arrest and conviction are cumulative with subsequent crimes. A career criminal who commits, for example, a single burglary has a 14% chance of detection, following the average. If he commits seven burglaries, the chances jump to 98%, almost certainty.

With the uproar regarding serial killers and serial rapists, many people forget that many burglars are serial burglars, and many muggers are serial muggers. Carrying out a string of crimes not only increases the chances of detection, it drastically changes the odds at sentencing time. First offenders traditionally can expect leniency from the judge. The career criminal, on the other hand, can expect the iron fist of justice to come crashing down upon his head as the judge "throws the book" at him.

Even with sentence imposed, the prospect of multiple appeals delays justice. The well-heeled career criminal, with enough money to make bail and to pay for competent lawyers, can delay his imprisonment, or even have his conviction reversed.

The foregoing reasons help explain why the deterrent power of punishment is not what many think it is. The obvious fact is that, if deterrence worked, the prisons would be empty. However, it's impossible to convince idealists of this.

Some cynics have held that capital punishment is the ultimate deterrent, if applied. An executed criminal is deterred from committing his next crime, they say. Actually, execution is the ultimate incapacitation.

The Decline of Liberalism

The basic ideas of the liberal school of thought, which is what we'll call it for lack of a better term, are that all people are basically kind, and that they do evil things only as a reaction to early mistreatment by an unfair society. This brings with it a constellation of ideas, such as the one that poverty and slums cause crime. Another is that mental illness of some sort is at the root of every crime. Without wasting too much time on this trash, let's note that the result is that some liberal advocates claim that kind treatment will somehow reform convicted felons.

Also allied with this school of thought is the doctrine that prison riots tend to occur in prisons where the administration does not have good rapport with the inmates. Supposedly, the harsh conditions in maximum security prisons provoke riots. So does the warden's lack of communication with the inmates. Other factors "causing" riots are lack of meaningful job assignments and recreation, as well as imposing punishments.[5]

The problem with this sort of thinking is that it puts the cart before the horse. Maximum security prisons are for the most dangerous and troublesome inmates, those who are most likely to be disruptive. Security risks also discourage various types of job assignments and recreation. A warden in charge of street-smart and manipulative inmates is also unlikely to waste time trying to communicate with them, because any efforts at communication are exploited by inmates for their own ends.

Prison inmates encourage the liberal view, because it's so easy to manipulate people with this mind-set. During negotiations between revolting convicts and prison officials, no inmates ever admitted that they started the revolt because they were bored and wanted to generate excitement. None ever admitted that the riot's anarchy gave them opportunities to vandalize, settle grudges, and kill informers. That's not good politics, and it doesn't sound good on the six o'clock news. It's more expedient to blame brutal guards, prison crowding, poor food, etc., to gain sympathy from the citizens and taxpayers watching the program.

The Sociopath

This is a catch-all category including various types of personality disorders that don't fit into other diagnoses. Some psychiatrists will lump sex offenders and the chronically unemployed into this category, but this is merely an example of how "sociopath" has become a wastebasket category. For our purposes, let's define the true sociopath who belongs in prison because of criminal behavior.

This person is impulsive, with unrealistic goals and the inability to accept delay in gratification of needs. He's greedy and acquisitive, and willing to victimize others for his own purposes. He's also unrealistic, failing to understand why he should be punished for breaking the law. He has no worthwhile or long-term relationship with others, friends or family, partly because he can't relate to people normally. Instead of seeing people as friends, he sees them as prey, and people are useful to him only if they can satisfy his needs which is why he shows no compassion for his victims. His relationships are therefore never co-equal, but manipulative, and he's typically a pathological liar. The sociopath doesn't appear to

have a conscience, which is why he doesn't benefit from punishment or counseling.[6]

This is why many programs aimed at rehabilitation have been failures. It's impossible to implant a conscience into a sociopath, by counseling, drugs, or surgery. Remaking a personality is in many ways impossible, and the only practical step is to write off these people and keep them from hurting others.

Incapacitation

This is the concept gaining ground among both penologists and taxpaying citizens. Many have always seen the purpose of prisons as the protection of society. It's obvious that the prisoner kept incarcerated is incapable of preying upon citizens outside the walls. There is now evidence that prisons are cost-effective.

The RAND Corporation, in a study published by the National Institute of Justice, found that the cost of keeping a career criminal in prison averaged about $25,000 per year. However, the cost to society of allowing career criminals to go free is far greater than this figure. The reason is that hard-core career criminals, if free, commit an average of between 187 and 287 crimes per year, according to this study. Adding direct costs, such as victim losses, criminal justice and prosecution, and indirect costs, such as private security, gives a rough figure of $2,300 per crime. Using the conservative figure of only 187 crimes per year gives a total of $430,100 total cost to society for each felon allowed free. Impossible to count is the cost of human suffering. All told, it's definitely cost-effective to keep hard-core, career criminals confined.[7]

The ultimate in incapacitation without walls is some form of psychiatric treatment. Today, most psychiatrists and penologists agree that there's practically no hope of "curing" a career criminal and changing him into an honest and productive citizen. Instead, there are excellent prospects of reducing his ability, to make him less able to commit crimes.

This idea has its roots in Islamic practice, where the penalty for a thief was amputation of the hands. This was definitely and unequivocally physical incapacitation. Today, physical mutilation appears repugnant to people who consider themselves "civilized," but psychiatric techniques are still in the running, despite the complaints of various misguided "civil liberties" groups. Recent innovations have shown that certain psychiatric techniques are very promising, both because they work, and because they're inexpensive. We'll cover these in detail in the next chapter, as we discuss psychiatric treatment.

The Bottom Line

Rehabilitation doesn't work. Despite decades of rehabilitative efforts in prisons across the country, there's been absolutely no progress, and nothing to show for the millions of dollars and man-hours wasted pursuing this end.

The evidence is in the recidivist rate. Most people in prisons have been there before. The rate varies with the institution and the locale, but in all cases it's above 50%. One inmate at New York State said mockingly that "Prisons are so rehabilitative that 60% of us here at Green Haven have already had the benefit of the rehabilitative experience several times."[8] If we count only those who are on their second trip, the figure averages 85%.

There's a simple set of reasons why the percentage of return trips declines. First, sentences tend to be long for hard-core offenders. Secondly, parole boards tend to keep hard-core inmates inside the walls. Finally, inmates die, in prison and after release, from assaults and natural causes. Not many live long enough to accumulate a long record of convictions for serious offenses.

For many years, it was trendy for penologists to recommend some form of psychiatric treatment to reform hard-core felons. We'll see how that developed, and what the true prospects are, in the next chapter.

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• 8 •

Psychiatric Treatment

Prisons use psychiatric treatments for several purposes, and in that sense, overlap closely with the purposes and functions of psychiatric hospitals. However, the opportunities for creative application of psychiatric methods are wider in prison.

Treatment

Some inmates are neurotic or psychotic, and need treatment. In one Western prison, the prison psychologist had estimated that 300 of his 1600 charges were psychotic.[1] Other prison systems have their quotas of mentally ill inmates. In Michigan, for example, about 20% of inmates have serious mental disorders.[2] The reasons for this high rate are open to speculation. Certainly, some were mentally abnormal before arrival. It's equally easy to argue that rigorous prison life causes a proportion of inmates to become "squirrelly," to a greater or lesser extent. Some prisons employ psychiatrists or psychologists to work with the inmate/patients, in an effort to cure them, but often the heavy workload limits these efforts to diagnosis only.

Some "rehabilitation" oriented institutions employ psychologists to treat criminality, on the basis that all crime stems from a mental abnormality. The main problem with this concept is that criminality is difficult to define as a clinical syndrome, and practically impossible to cure. Some behavioral scientists use terms such as "psychopathic personality," and "sociopath," to define criminals. Unfortunately, these terms have become "wastebasket" diagnoses for cases that don't fit into other categories. The experience of many years has shown that psychopathic personalities defy "cures."

Despite this, there are recurrent efforts to treat criminality, both by conventional and innovative psycho-therapeutic methods. This is why some enthusiastic

amateurs hold "group therapy" sessions for prison inmates. Psychologists, psychiatrists, social workers, and other professionals also use group therapy, mainly because they know that they won't be held closely accountable for lack of results. This is make-work, and their professional status protects them from criticism. "Theirs is not to reason why; theirs is just to milk it dry."

Specialized institutions, such as Vacaville in California, have led the way in "treating" criminality. They've tried every possible psychiatric treatment, including psychotherapy, drugs, electro-shock, and even psychosurgery. None have given consistently good results. Without knowing what they're treating, behavioral health practitioners have little hope of success.

During the 1940s and early 1950s, there was some experimentation in the treatment of criminality and other anti-social behavior with direct electrical stimulation of the brain, and with various forms of psychosurgery. Severe drawbacks quickly showed themselves. One career criminal, after committing a series of armed robberies, submitted to a prefrontal lobotomy. This did not reverse his criminality, and he committed suicide.[3] Lobotomy has been singularly unsuccessful for treating any sort of mental disorder, despite a Nobel Prize in Medicine awarded to Antonio Egas Moniz, the Portuguese neurosurgeon who invented the procedure. Moniz, who had at one time been Portugal's foreign minister, came to an ironic end, shot to death by one of his lobotomized patients.

There have also been experiments in suppressing aggressive behavior by limited electrical stimulation of certain areas of the brain. These are good as subject matter for research papers, and for seeking a Nobel Prize, but are not practical. One of the top authorities in this field, Dr. Jose Delgado, has stated categorically that electrical stimulation of the brain cannot change the personality drastically, substitute different behavior patterns, or implant new attitudes. This is both theoretically and practically impossible.[4]

Thus, what some scientists and science-fiction writers had seen as a brave new world of scientific control of human behavior has turned into a dead end. Laboratory experiments do not translate into practical methods of changing criminal behavior by reshaping a personality.

Some forms of "treatment," such as education and work training (sometimes pompously called "vocational rehabilitation") of first offenders, offers hope of success. Work-release programs help re-integrate inmates into mainstream life outside the walls, and are worthwhile for those who appear to be good security risks. However, trying to treat hardcore offenders is a dead end. "Rehabilitation" has proved to be useless, as shown by the results of hundreds of treatment programs.[5]

The picture changes sharply when the purpose becomes to gain and retain control of convicted criminals. Drastic physical methods of psychiatric treatment, with their many side-effects, are very useful for this. In fact, some inmates complain that heavy tranquilizers are abused for this purpose.[6]

Custody

The practical fact is that docile inmates are less troublesome than unruly ones. A program of preventive treatment helps keep inmates quiet. Preventive treatment is often simply behavior modification, built into the rules under which the staff administers the prison.

Some inmates are unresponsive to normal custodial practice and behavior modification. Some are self-destructive, while others seek to prove to the officers that they can't be "broken." Some inmates appear to be natural leaders, and act as agitators, channeling inmates into forming "prison unions" and quasi-religious groups. Others are troublesome in an inexplicable way that we can only describe as "ornery." One female inmate, for example, was incorrigibly defiant, and responded to being locked up by throwing the contents of her toilet at officers. When officers put a plastic shield on her cell to stop this, she tore the toilet out of the wall and flooded the floor. When officers handcuffed her to the bars, she excreted upon herself.[7]

While it might be an intellectual challenge to try to "understand" her behavior, it's more expedient and rapid to extinguish it by physical treatment. It's quick and easy to escalate to whatever degree is necessary to control any inmate, as we'll now discuss.

There are more vigorous methods of enforcing and easing custody, which the staff apply selectively to troublesome inmates. Mild or heavy tranquilizers can keep many otherwise troublesome inmates quiet. Heavy drug dosing has been termed "chemical straitjacket," and "chemical lobotomy," and is effective in maintaining control of an inmate population.

As in psychiatric hospitals, electro-shock and psychosurgery are useful for selective quieting of especially difficult inmates. In American prisons, such treatments can be administered only under the color of medical treatment, but in foreign prisons, especially in Third World countries, the concept of civil liberties is not as well developed. This provides good leeway for a prison administration to administer the treatments in the manner and form they deem suitable.

Physical psychiatric treatments have severe side-effects and disadvantages, when used for medical reasons, because they all impair the personality somewhat. The

object of psychiatric treatment is to remove the symptoms and return the patient to normal functioning in society. Collateral effects, such as brain damage, are objectionable because they tend to incapacitate the patient, sometimes as much as the original illness. As incapacitation is a major objective of practical incarceration, side-effects are not only tolerable for prison inmates, but desirable.

Finding Medical Justification

Administering any form of drugs or other physical treatment can be a legal minefield for the prison administrator who does so without bringing a psychiatrist into the picture. Massive lawsuits may await the official who does anything that resembles practicing medicine without a license. Fortunately, the way to prescribe various psychiatric treatments is very simple and clear.

Psychiatrists working with the legal system have shown themselves to be very predictable, as they consistently lick the hand that feeds them. This is most visible in court, when NGRI, "Not Guilty by Reason of Insanity," becomes an issue. Typically, there is a psychiatrist representing the prosecution, and one for the defense, each presenting testimony carefully tailored to meet the needs of the party paying his fee and picking up his expenses.

A psychiatrist working for a prison system collects a salary, and does little real work to earn it. A prison administrator can tactfully have him understand that "merit increases" will depend on how closely he "cooperates" with the administration. A psychiatrist can justify practically any treatment by sprinkling his report with appropriate jargon, such as "combative," "psychopathic personality," "intractable," etc. As long as there's paperwork to back up a course of treatment, anything goes. This is practically immune to lawsuits, because even if an inmate's family decides to sue, a very remote possibility, once the inmate's been through a course of intensive electro-shock or had his lobotomy, it's impossible to prove that he never needed it. This opens the way to using psychiatric treatments as punishment.

Punishment

This is part of custody, but the purpose of administering a psychiatric treatment is as reprisal for a specific act. One inmate at Green Haven, Dwight Harvey, was incorrigible, and each time officers released him into the general population he would assault another inmate, or even an officer. Administrators had run out of punishments, and in desperation one guard captain ordered Harvey's food put into

a blender and baked into a loaf.[8] Apparently, nobody thought of administering psychiatric therapy as punishment in this case.

Some treatments, such as electro-shock, are definitely unpleasant and punitive when the inmate does not have anesthesia and an anti-convulsant to limit the jackknife contractions. After-effects, such as disorientation, tongue bites, and fractures, can be frightening, and help to control the inmate.

A chemical disciplinary method, which produces less drastic and permanent side-effects, is inducing paralysis with Pavulon, a synthetic form of curare. The inmate can't move his voluntary muscles, although he's fully conscious, and with the proper dose his breathing is also paralyzed. The feeling of suffocation is very frightening, even if the inmate knows that he'll survive the experience. This falls under "behavior modification."

All treatments have side-effects and adverse reactions. Drugs occasionally produce fatal results. Electro-shock results in death in about 1% of cases treated, with careful selection. Lobotomy produces fatal results between 1% and 4% of the time, again depending on patient selection and the exact type of surgery performed. Epilepsy is another adverse after-effect, and between 1% and 3% of operated persons develop some form of epilepsy. These side-effects are far less important with a correctional population, for several reasons. Inmates are less likely to have relatives who will complain strenuously about the treatment given to them. Those convicted of violent crimes are also far less likely to excite sympathy from do-gooders. Finally, inmates serving life terms, or awaiting execution, have nothing to lose, and if death occurs during or after treatment, it's merely an expedient short-cut.

Technical Details

The first tranquilizer was chlorpromazine, put out under the trade name of "Largactil" by the French firm of Rhone-Poulenc Laboratories. The American firm of Smith, Kline, and French sold it on this side of the ocean under the trade name of "Thorazine." Promazine (trade name: Sparine) soon followed, and then came meprobamate, one of the most popular tranquilizers of all, which sold under the trade names of "Miltown" and "Equanil." Yet more appeared, and today the trade names of "Phenergan" and "Valium" are household terms.

Effects depend upon both drug type and dose, as well as personal variations. Generally, we can define two types of effects of tranquilizers; sedation and incapacitation. Sedation, such as resulting from ten milligrams of Equanil, is fairly mild, but can be heavy, depending upon the dose and the person's constitution. The "anti-psychotic" drugs, such as lithium compounds, haloperidol, and chlor-

promazine, also have sedative effects, but their main value is that they appear to eliminate psychotic symptoms without excessive sedation. In many cases, however, sedation is enough to impair the ability to drive a motor vehicle.

Certain specific drugs, such as Phenergan and Haldol, in moderate to heavy doses, put the person into a daze. Fifty or one hundred milligrams of Phenergan, or twenty milligrams of Haldol, for example, will heavily sedate a psychotic or normal person to the point where he's unable to function. Two to four hundred milligrams of Thorazine twice a day will put a subject into a daze and control all violent behavior. The value of heavy sedation to the point of incapacitation is obvious when a prison administration is trying to suppress prison gangs, or stop escape attempts. A dazed inmate can't plan an escape, and with enough sedation, is physically unable to run away. A chemical stupor is preferable to solitary confinement because it doesn't require special facilities.

Tranquilizing combative inmates follows the same practice as calming psychotics. A massive first dose suppresses all combative behavior, dims consciousness, and puts the inmate into a stupor. Stabilizing the combative inmate allows gradual reduction to allow him to resume basic functions. Reducing the dosage during a week's close observation allows fine-tuning, so that the inmate can eat and take care of himself without being a burden on the staff.

Long-term effects of drugs help keep the prisoner incapacitated. There are effects on the central nervous system, including a Parkinson-like disorder called "tardive diskinesia." Neurological side-effects of psycho-active drugs have even affected prison slang. The "Stelazine shuffle" and "Thorazine shuffle" describe the peculiar gait of people under the influence of these drugs.[9] The benefits of physical incapacitation, as well as psychic dulling, combine to help make those under long-term dosage docile and manageable, especially as some effects are permanent. Even after stopping the drugs, some persons continue to show neuro-motor symptoms.

All of these drugs come in forms suitable for oral administration, or injection. Not all prisoners willingly submit to taking tranquilizers, and it's sometimes necessary to restrain them for injections. Administering drugs covertly, as in the inmates' food, is unreliable because dosage will vary with the amounts eaten. This shows the main drawback of drugs: it's necessary to administer them repeatedly for best effect, and an unwilling subject can frustrate this effort. This is why other, more drastic, techniques are often helpful, and always quicker and easier to use. One is electro-shock.

Electro-shock

Nobody really knows how or why electro-shock works, but its effects are clear and unmistakable. Administration is simple. A current of about 110 volts passes

between two electrodes placed at the temples. Voltage can vary somewhat, and some electro-shock machines contain a device which starts the current low, at about 70 volts, and peaks to 110 or even 150 volts within about one second. This is called the "glissando" technique, and proponents claim that it produces stronger convulsions with less current overall. Using less current allegedly leads to fewer and less severe side effects, such as memory loss. In any event, this is just icing on the cake, and for prison applications, basic techniques work perfectly. In fact, side effects of electro-shock are desirable in a correctional context.

The immediate effect of the current is unconsciousness. Some patients have reported seeing a white flash, but most simply lose consciousness instantly. The body becomes rigid for up to 30 seconds, then relaxes. The patient then begins a series of convulsions, very much like epileptic convulsions, which last about a minute and subside. During convulsions, it's necessary to restrain the patient to keep him from jumping off the table or tumbling to the floor. When convulsions subside, the patient does not awaken immediately, and this artificial unconsciousness is actually deep anesthesia. It's even possible to perform surgery during this time. This state passes gradually into natural sleep. Awakening may take place in a few minutes, or the patient may remain asleep for an hour or more.

Physical side-effects can include strained muscles, pulled ligaments, and even broken bones, resulting from the convulsions. Some patients bite their tongues, if they're not properly prepared with a padded stick or section of rubber hose between their teeth. Modern medical use requires injecting a muscle relaxant to eliminate these convulsions. However, for prison use, this is less important. Fractures and other injuries are permissible, especially if the treatment is for punishment.

Upon awakening, the patient may be disoriented, not knowing where he is or even the correct day of the week. He may also have more severe memory loss, depending on how many treatments he's undergone. After a series of 30 treatments, many patients have severe memory loss. There's also a sensory "blurring," with everything appearing unfamiliar or strange to the patient.

These mental side-effects are undesirable with psychiatric patients who must return to their roles in society. A person suffering from depression, for example, may benefit from a few electro-shocks, but too many make him less capable of returning to work and functioning in society. For someone who will be confined for the next dozen years, mental blurring and disorientation can be very beneficial. An electrically induced "depersonalization syndrome," in which the patient feels that everything is unreal, definitely helps keep him docile and manageable.

Electro-shock is extremely effective for quickly subduing combative or escape-prone inmates. The advantage is that its effects are immediate, as there's no waiting for the treatment to "take." If the inmate is extremely violent or dangerous, it's

possible to start another treatment as soon as convulsions stop. The application of several treatments within a few minutes renders the most agitated and belligerent inmate dazed and docile. One way of saving time is to keep the voltage low enough not to produce a convulsion, so that it becomes possible to deliver a dozen jolts through the brain within a minute. The final step is to raise the voltage high enough to stimulate convulsion, and deliver this with the inmate fully restrained.

Electro-shock is a practical way of coping with inmates who otherwise would be confined in solitary. A treated inmate, wandering dazedly in the prison's general population, poses minimal security risk. The spectacle of an inmate emerging zombie-like from the psychiatric treatment block is a powerful deterrent to others. Intensive electro-shock, with a dozen treatments applied within 24 or 48 hours, produces a stupor in which the inmate loses all awareness of his identity, and events around him. Intensive treatment also results in loss of bladder and bowel control, and it's unnecessary to go beyond this point.

Over days or weeks, the inmate will recover his personality, and may become violent again. If so, a second series of intensive electro-shocks will bring him once more under control.

There appears to be no limit to the number of electro-shock treatments a human can tolerate. Some psychiatric patients have received hundreds of electro-shock treatments, but the time and labor required makes this impractical in prison. If it appears that electro-shock is inadequate to control permanently a combative or escape-prone inmate, prison administrators should consider the benefits of psychosurgery.

Psychosurgery

There have been several forms of psychosurgery devised since the first prefrontal lobotomies came about during the 1930s. The classic lobotomy involves severing the nerve bundles, known as the "fronto-thalamic tracts," which connect the frontal lobes with the rest of the brain. This operation causes profound personality changes. Some immediate effects are that, following a successful lobotomy, the patient becomes immediately disoriented, and often loses bladder and bowel control. This is very dramatic if surgery is under local anesthesia. Some of the early practitioners of prefrontal lobotomies used the onset of disorientation to judge whether they'd cut enough tissue. The immediate effects tend to clear up after a few days or weeks, and the patient returns to almost "normal." The main problem has been that the patient's emotions become severely blunted, and the person becomes apathetic. The lobotomized patient becomes calmer, which is valuable if the original illness was some form of agitation, such as severe anxiety state or

psychotic frenzy. Lobotomy is useless in treating depressed patients who are already too "down."

The symptoms often abate, but the treatment often does not produce an individual who can function in society. This is why neurosurgeons have tried to find less radical operations that would reduce the symptoms without causing as much damage to the personality.

One variation has been the "topectomy," in which the surgeon peels away small sections of the cortex, or top surface, of the frontal lobes. Another has been using less drastic cuts of the fronto-thalamic tracts. Yet another has been making the cuts farther back, where they produce less profound effects. Some surgeons have experimented with cutting on one side only.

Some modifications have been for convenience. The classic lobotomy requires opening the skull to see the brain. A modified version requires only making small burr-holes at the temples, through which the surgeon passes a small instrument called a "leucotome" to make the cuts. The leucotome looks like a flattened icepick, with sharp cutting edges. The surgeon inserts the leucotome a fixed distance into the frontal lobe, and swings it in an arc to make the required cuts.

There have been experiments in using chemicals or cryogenics to destroy brain tissue, and reduce the risk of cutting into a blood vessel. Injecting phenol into the area deadens the surrounding nerve tissue permanently, with much less risk of causing hemorrhage. Liquid nitrogen also destroys tissue, but is slightly more complicated in application, although it lacks the toxicity of phenol. A simpler method is to insert an electrode into the site of operation, and use an electric current to destroy nerve cells. Leaving the current on longer "cooks" cells over a wider area. This is like electro-cautery, is non-toxic, and allows precise control over the area destroyed. An additional advantage is that it minimizes bleeding.

The simplest technique devised is the "trans-orbital" lobotomy. The surgeon lifts the eyelid, and inserts the leucotome between the eyeball and the eyelid, slanted upward towards the brain. He raps the handle of the leucotome sharply with a small hammer, to drive the point through the thin bone separating the eye cavity from the brain case, and inserts the tool a predetermined distance. He then swings it in an arc to make the cuts. This procedure is quick and simple, and requires minimal anesthesia. A fast-acting barbiturate is adequate, because the time required for a trans-orbital lobotomy is only a couple of minutes. Some psychiatrists have combined electro-shock and psychosurgery, using a shock treatment to anesthetize the patient, and lobotomizing him during the period of unconsciousness.

Prison application of psychosurgery serves a different purpose, and the disadvantages of the lobotomy become advantages. The hardcore, intractable, and dangerous prison inmate is not going to function in society anyway, and altering

his brain to make him more manageable is perfectly acceptable. A simple transorbital lobotomy, on both sides, is practical, because it allows assembly-line treatment. This can be especially advantageous after a riot or mass escape attempt, because it allows treating large numbers quickly to ensure that they become reduced security risks.

Mass-produced lobotomies produce different effects, and not all inmates subjected to this procedure will be equally tranquilized. A small percentage will require a few electro-shock treatments to produce the required effect, and it will be necessary to operate again in a few instances, if the inmate is still combative or escape-prone. Deeper cuts destroy more tissue, and produce a greater calming effect.

Prophylactic Treatments

In future years, there will be recognition that immediate psychiatric treatments are preferable when long-term or other problem inmates arrive for admission. The physically assaultive inmate, or the inmate with a history of escapes, justifies immediate treatment before release into the general prison population. New arrivals with records of institutional or political agitation, such as forming "prison unions" and similar organizations, are prime candidates for selective therapy.

A blatant example was Hector Lopez, a New York man serving a 15-year-to-life sentence for a murder committed in 1971. Lopez had spent several years in Attica, where he'd run up a record of 19 violent and nonviolent infractions, including assaults. After his transfer to Green Haven, he attacked and severely injured two officers with an iron bar.[10] This is the type of case that would benefit the most from preventive treatment. With this record of violence, a radical lobotomy would be fully justifiable.

There's also a case for treatment on humanitarian grounds. Some inmates have no realistic hope of release. They may be laden with extremely long sentences, or their crimes may have been so heinous, that parole is out of the question. Prolonged close confinement damages the personality, as we've seen, and the "behavioral sink" produces combative behavior. Intensive psychiatric treatment can produce enough brain damage to dull the inmate's awareness of his plight, and make it more acceptable to him. In extreme cases, radical prefrontal lobotomy, immediately upon admission, is the economical and humane way to cope with behavior problems.

Another category requiring immediate treatment is the capital case, to keep him under control between admission and execution. Death row inmates should receive adequate preventive treatment upon admission, both for their protection

and that of the staff. Some may feel that drugging to dull the senses of condemned inmates is too kind because they deserve to suffer the pain of execution, but humanitarian considerations are not the only reasons. Some condemned inmates are very combative, and there's serious risk of injury to the staff. Immediate tranquilizing prevents this. If it appears that there will be a long interval before execution, it's worth considering longer-lasting treatments, such as electro-shock or psychosurgery.

Immediate prophylactic treatment can be very cost-effective, in addition to other benefits. Maximum security incarceration is very expensive, both in structures and operating expenses. A program of selective incapacitation can eliminate the need for maximum security in many cases, by allowing release into medium security facilities, at a significant cost saving.

Other Applications

Tranquilizers, electro-shock, and psychosurgery can't do everything, and in some cases may aggravate the problem. Psychosurgery, for example, not only lowers overall drive, but sometimes appears to have a reverse effect, by removing inhibitions. It may not be effective in such cases, and more specific treatment is worth exploring because it directly affects the problem.

Homosexual gang-rapes take place in prison, and conventional treatments may not be effective in suppressing these. A simple way to control this problem is to sever the dorsal nerve of the penis in all inmates with histories of homosexual rape. This simple operation is quicker and easier to do than a vasectomy, and is irreversible. Local injection of Lidocaine serves as anesthetic for the operation, which should include removing an inch-long section of each dorsal nerve at the base of the penis. This immediately produces total and permanent anesthesia of the penis, and the inmate can no longer perform sexually with either sex.

This operation also offers another possibility in treating those convicted of rape. Experiments with castration for sex offenders in Denmark and Sweden were not totally satisfactory, because removing the testicles does not produce immediate effects. In a fully-developed male, loss of sex hormone production will produce loss of desire and impotence only after a long period. The dedicated rapist may even be able to medicate and revitalize himself by taking hormone pills after release from prison. Only surgically induced penile anesthesia is immediately and permanently disabling.

Sterilization is a way to prevent social undesirables from reproducing and manufacturing smaller versions of themselves to become additional burdens to society.

A major problem is that involuntary sterilization is currently out of fashion, but as voters and legislators become increasingly aware of crime problems and possible solutions, this may change.

There are several reasons for adopting a program of compulsory sterilization:

- Career criminals are obviously irresponsible parents, and denying them the ability to reproduce would eliminate the problem of raising children whose parent(s) may be incarcerated for years. Whether the "cause" of criminality is genetic or psychological, a program of mandatory sterilization deprives convicted felons of the opportunity to produce criminal dynasties.
- Sex criminals of all sorts are obvious candidates for mandatory sterilization, for obvious reasons.
- Despite a tightly-controlled prison society, sex behind bars exists. Today, this is primarily homosexual, but with the progressive integration of prisons, we can expect more prison pregnancies. Sex between male and female inmates, and even inmates and correction officers, in some cases, can easily result in pregnancies. We've seen male-female integration of the armed forces, and it doesn't stretch the imagination very far to contemplate co-ed prisons, perhaps mandated by the U.S. Supreme Court. There's also the prospect of female correction officers being raped. In such a situation, only an established program of sterilization will prevent an uncontrollable problem.
- A collateral effect will be on the demand for abortions in rape-induced pregnancies. Those with scruples against abortion won't have to face this dilemma.

Implementation of a sterilization program requires legislative guidelines, and a practical in-house program. A conservative approach is to mandate sterilization for all three-time felony convicts. A more imaginative program, mandating execution for "three-time losers," would prescribe sterilization upon the first felony conviction. A possible compromise would be to require sterilization only for those convicted of violent felonies.

The logical place to carry out surgical sterilizations is in the intake block at the prison, as inmates are subject to routine processing, classification, and medical screening at that time. The actual surgery, in males, takes about ten minutes, using local anesthesia. Females require general anesthesia, to open the abdomen and cut the Fallopian tubes. An alternate way is to insert a cautery into the uterus and close the openings from the Fallopian tubes.

In cases receiving other treatments, such as electro-shock, it would be cost-effective to perform the surgery while the inmate is unconscious. Alternatively, if heavy tranquilizers are on the program, these may sedate the inmate enough to

allow surgery with little or no additional anesthesia. In cases requiring lobotomy, it's practical to perform both procedures simultaneously, with two surgeons.

Economies of scale are potentially tremendous. Applying treatments to incapacitate or sterilize an inmate doesn't involve delicate work, and lends itself to assembly-line procedures. An initial treatment room, leading from the outer office, is for chemical sedation. Once inmates are heavily dazed and on gurneys, trustees may wheel them to operating and treatment rooms along a central corridor. If an organ bank is part of the program for condemned criminals, an initial physical examination can determine whether the inmate is good donor material. If there's a condition, such as AIDS, which precludes using him as a donor, termination can be immediate, saving the cost of further intake processing.

Prophylactic termination would require abandoning the concept of ceremonial execution that has dominated capital punishment for years. If the purpose is to neutralize an inmate permanently, it doesn't matter whether he gets a bullet in the head, or an injection into a vein.

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• 9 •

Escapes

Sound security practice requires both physical and personal control, including walls, steel bars, and surveillance, as well as segregating escape-prone inmates.

There are two types of escapes: structural and walk-aways. Structural escapes involve sawing through bars, scaling walls, and digging tunnels. Walk-aways are escapes which take advantage of opportunities in prison procedures, such as work-release programs, parole, and trustee status. As we'll see, some escapes combine features of both.

One was the escape of Gary Tison and Randy Greenawalt from the Arizona State Prison in Florence, on July 30, 1978. Their escape was not from the maximum security cell block, but from the annex, across the road from the main prison. Both Tison and Greenawalt were convicted killers. Tison had killed a prison guard in 1967. Greenawalt had been convicted of murdering a truck driver in 1974.

Both were career criminals. Tison had been in and out of trouble all of his adult life. Greenawalt had killed the truck driver in cold blood, shooting him through the door of his truck while he slept at a truck stop, then breaking in to rob the body. He had probably killed three or four truck drivers, but was convicted of only one murder.[1]

As convicted murderers working off life sentences, both Tison and Greenawalt were in the prison's maximum security cell block. Additionally, Tison was a chronic escapee. However, both made persistent efforts to get transferred to medium security. Tison wrote letters to the warden, and Greenawalt wrote a letter to the Director of Corrections, John Moran, supporting Warden Harold Cardwell during a time of political trouble. Both were successful in currying favor, and getting themselves transferred to medium security, despite their records. In this regard, they were allowed to "walk away" from maximum security into the medium security annex, where arranging an escape was much easier.[2]

The escape itself was simple, taking place on a regular visiting day. Tison's three sons, Ricky, Ray, and Donald, came to visit him, carrying a cardboard box and a cooler. Medium security visiting was in an outdoor yard with picnic tables, and visitors often brought food for the inmates. This day, the cardboard box and the cooler served to conceal a shotgun and several pistols, and Tison's sons used these to hold the guards at gunpoint before they could be searched. It was quick and easy for Tison Senior and Randy Greenawalt to change clothes and walk out to the getaway car in the parking lot.

One point that becomes clear in studying the detailed saga of the Tison escape is the massive incompetence on both sides. The prison administration erred twice, very seriously, by allowing two very dangerous inmates out of maximum security. Gary Tison and his associates also did badly. Gary's brother, Joe, was supposed to procure a camper van and full-auto weapons for the escape. Instead, he bought a Lincoln Continental and several ordinary pistols and shotguns.[3]

Walk-Aways

Many escapes are simply walk-aways. There were many at Arizona State prison before World War II, when gangs of trustees were allowed to sleep outside the walls. A major problem was that crews assigned to various tasks were unnecessarily swollen, and some of these inmates "took a walk" when they wished. Seven worked at the corral, caring for guards' horses, but the task required only two. Crews at the dairy and various livestock pens, all outside the walls, were loaded with excess personnel, and some of these took off almost every night.[4]

In one case, a walk-away from Florence was trying to hitch a ride along the main road one night after having left his assigned sleeping area outside the walls. The deputy warden and a guard sergeant happened to be on the road as well, driving North to Florence Junction on an errand. Their headlights picked up the hitch-hiker, who thumbed them in the traditional manner. They stopped to pick him up, and the inmate did not recognize them until they'd turned the car around for the trip back to the prison.[5]

Officers assigned to outside work details are almost always armed, and one of their duties is to use gunfire to prevent escapes. If the officers are on horseback, and the escapees are out in the open, it may be possible to recapture them simply by running them down. However, if the officers are vastly outnumbered, and cannot pursue without neglecting the rest of the work party, it may be necessary to open fire. Military guards overseeing work parties from Alcatraz, when it was still a military stockade, opened fire to stop escapes several times. In 1892, one guard fired at a prisoner who took to his heels on the mainland. This happened again in 1900.[6]

Structural Escapes

A basic rule is that, the more materials available to inmates, the more they'll be able to adapt to escape attempts. This is why, in most cases, state prisons suffer more escapes than county jails. County jails typically have cells and a day room for inmates, and perhaps a recreational yard. Inmates don't work in shops, and don't have access to hand or power tools.

In state prisons, the variety of vocational rehabilitation shops provides inmates with both tools and raw materials to manufacture weapons and escape adjuncts. At one prison, an inmate improvised a ladder from broomsticks and wire, intending to use it to scale the wall.[7]

An unusual type of structural escape took place while a prisoner whose mind had become unbalanced by too much marijuana was in transit from Arizona State Prison to the state hospital in Phoenix. This inmate, who fought with maniacal strength while resisting being placed in a restraining strap, kicked out the side door of the truck transporting him, and fell out onto the road at a point between Mesa and Tempe. Officers immediately recaptured him, and continued their trip to the state hospital.[8]

Decades later, there was a successful escape using the same method. Two county jail inmates broke out of a prison van which had transported them to a Tempe court. They kicked out a window while the driver, having parked the van on a side-street, was inside the court delivering paperwork. Both fled the area undetected, but police recaptured them much later.

Alcatraz received a tremendous amount of publicity as an "escape-proof" prison while it was run by the Federal Bureau of Prisons. What's not well-known is that there had been escapes from the "Rock" when it served as an army stockade. In May, 1878, two prisoners made their escape by boat from the Rock. In 1884, another group of prisoners escaped by boat. Two more military prisoners commandeered a boat from the dock, and made for Lime Point. Guards commandeered a steamer that was just pulling into the dock, and gave chase. However, the prisoners had a long lead, and they made shore and vanished before the pursuers could capture them.[9]

Escape Organizations

During wartime, prisoners of war may conduct organized escape attempts. Some military forces have established special departments to aid and promote escapes among their POWs behind enemy lines.[10]

Although conventional thinking is that it's a military prisoner's duty to try to escape, there are significant exceptions in practice. One reason German and Italian POWs ended up in camps in the continental United States was to deter escapes. Very few ever made it back to their homelands. One noted German escapee, Von Werra, escaped from a train in Canada and crossed the border into the United States in 1941, before this country entered the war. With help from the German Consul, he made it back to Germany, to be killed on the eastern front.

Italian POWs in the American Southwest were happy to be away from the war, and had no desire to return to the fighting. Many thousands of Italians worked on agricultural gangs in Arizona, guarded by a token force of soldiers, and none ever tried to walk away.[11]

Planning Escapes

Inmates often have years to plan escapes. Physical preparations also can take years. Some save up money, which is usually contraband, and hide it from prison officers. One escapee from Green Haven used identification from a wallet stolen from a visitor three years before. The driver's license had expired, but the inmate correctly reasoned that if he used it as I.D. when registering at a motel, the desk clerk would not be diligent enough to check the expiration date.[12]

Accumulating the materials needed for escape can take weeks, months, or years, depending on the severity of institutional rules. In various German POW camps during the war, officers and men had abundant materials available, which they could improvise as escape gear. By contrast, at Alcatraz, rules were so rigorous that anything not on the official prisoner issue list was contraband. Still, one inmate collected bits and pieces of army uniforms during the war years, when soldiers regularly sent their laundry to be done by inmates. John Giles painstakingly gathered parts of uniforms until he had enough to put together a complete uniform. On July 31, 1945, Giles dressed himself as a soldier and stepped onto the ferry, but his absence quickly came to light during a head count, and he found himself in custody again at the boat's next stop.[13]

Escape Policies

The prison administration must make it clear to all new inmates that there will be severe reprisals for escaping. Inmates should understand from day one that escape attempts will result in solitary confinement, dull diets such as bread and water, and loss of all privileges, including mail. If the legal environment permits, punitive psychiatric treatments can be part of the consequences. As we've seen,

intensively applied psychiatric treatments can be disabling enough to prevent an inmate's working on further escapes.

A policy which American prison administrators can't yet enforce is that of "collective responsibility." This involves reprisals upon inmates left behind, such as the escapee's cell-mates, or the entire population of his cell block. Although this type of retaliation is unconstitutional right now, it's practiced in other countries, and may yet see use in this country, and even in this century.

Holding everyone in the cell block responsible for any escapes from that cell block produces strong incentives among inmates to note which of their cell-mates are preparing escapes, and to inform the prison administration to avoid reprisals. Putting this sort of pressure on would-be escapees helps deter attempts, and makes preparations more difficult.

Escape Alerts

There must always be a procedure to mobilize extra guards to pursue escapees, and to inform local law enforcement when an escape occurs. There must also be a method of recalling extra manpower to conduct both emergency lock-downs and thorough searches.

One way of having an extra force within reach is to designate personnel to "on-call" status on a rotating basis. The on-call list provides a pool to augment manpower during a crisis.

The prison control center must have up-to-date lists of all personnel, with addresses and telephone numbers. Officers on call are responsible for informing the control room regarding where they can be reached, and must not travel beyond a certain radius from the prison. The distance in miles isn't as important as response time. A reasonable requirement is that all officers on call must remain within fifteen minutes' travel time from the prison.

Escapees from prisons and prison camps typically walk, as they usually don't have vehicles available. This makes it important to be able to follow their tracks, and one way to make it easier is to have the heels of all inmates' shoes or boots notched with a large "V" to make distinctive imprints in the ground. Also worthwhile for cross-country chases are hounds to track fleeing inmates.[14]

Proper security can reduce, but never totally eliminate, escapes. Inmates will always try, but the conscientious prison administrator knows that those who succeed don't do so because of his negligence.

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• 10 •

Riots and Disorders

A very strange fact about American prisons is that, every twenty years or so, there's a rash of riots, vandalism, and disorders. During some of these, inmates take hostages, who may be either officers or other inmates, usually informers. There are negotiations between inmates and administrators, and the media often become involved. A prison administrator whose institution explodes in violence can expect to see it "Live at Five" as TV crews converge. Politicians, eager to score points with voters or special-interest groups, also make appearances. A few "reforms" follow, setting the stage for the next riot in 20 months or 20 years.

Riots have plagued American prisons from the start, as we've seen in the case of the Simsbury Prison. There was an outbreak of riots in American prisons during 1929-1932. The scene calmed down, but in 1946, to the surprise of many, even Alcatraz exploded. Federal authorities had to call in a unit of U.S. Marines to help restore order. Another wave of prison riots occurred between 1950 and 1956.[1]

After every riot, or wave of riots, various "experts" and commentators gave the public the benefit of their wisdom. They cited causes that led to the riots, blaming low prison budgets, brutal guards, boredom, over-crowding, poor food, politics, harsh sentences, and uncaring personnel. They rarely point out the obvious: that prisons are repositories for the worst and most violent people in society, and that when there is a heavy concentration of violent and predatory people in one place, some sort of trouble becomes inevitable. As we've already seen, prison violence, or the threat of violence, is always present. Each year brings its quota of violent prison deaths. There are many unreported incidents, such as low-grade beatings and intimidations, etc.

Adding to the confusion is a corps of professional obfuscators. If one "expert" comes forward with a theory, another will immediately follow to contradict him. There are many conflicting theories regarding what's wrong with prisons, and what

leads to riots.[2] Given these conflicting opinions, it's not surprising that the public is confused about the causes of riots, and how to avoid or quell them.

A riot can take place anywhere, and one of the best-known in history occurred at Alcatraz, in early May, 1946. Several inmates overpowered an officer and took his keys. They thereby were able to release several others, and gained access to a gun gallery by using a bar spreader improvised from plumbing parts. There, they ambushed an officer and captured firearms. They then released other inmates, and opened fire on some tower guards. The incident ended three days later, with two officers and three inmates dead.

A detailed account of the Alcatraz riot, which took reinforcements from the U.S. Marines to quell, is available in *The Rock*, which provides a fairly complete picture of what Alcatraz was and how it functioned.[3] One point that is clear is that no prison system can be perfect, and even a system designed to confine people totally, has its vulnerable points. When the inmates are some of the most recalcitrant criminals in the country, it's not surprising that an incident occasionally happens.

Attica

One of the worst riots took place at Attica, in September, 1971. Attica set a record for prison deaths in one incident, and lasted long enough to give the media ample time to sensationalize it.

Authorities had had early warning. In June, officers discovered documents in some inmates' cells that pointed to a concerted effort among inmates of several prisons to present "demands" to the prison administration. Instead of breaking up the clique by transferring members to other institutions, authorities allowed things to remain as they were. On September 8 and 9, there were several "skirmishes," during which belligerent groups prevented officers from disciplining disorderly inmates. Prison administrators did not lock down the area to impose security. That was their second mistake.[4]

On the morning of the 10th, a full-scale fight broke out in one of the tunnels leading from "A" Block. Another group of inmates, already in the yard, overpowered their guards and took their keys. Prison officials dithered about, but took no effective action, as there was no contingency plan to gather reserves and recapture the area. Several mechanical faults with gates and bars allowed inmates access to the central checkpoint, known as "Times Square," where one of them dealt a guard a blow to the head which later proved fatal.[5]

Participation in the riot was not unanimous. Many of the 2,243 inmates refused to join, and some even helped guards in their areas escape.

A strange aspect of the Attica riot was that some guards prevented inmates from capturing more territory by ignoring the rules and acting on their own initiative. One guard used tear gas projectiles to keep inmates from capturing the prison hospital and reception center, without first clearing it with the administration, as rules required. Other officers took it on their own to use full-auto fire to stop inmates in a corridor south of the mess hall. Yet other groups of officers used their initiative to stop or contain the riot, blocking inmate access to various areas.[6]

Administration weakness, indecision, and inaction allowed inmates to be in full control of "D" Yard by 11 A.M. Thirteen hundred inmates set up their own "government," held debates, and organized a negotiating committee. One of the committee's first steps was to negotiate delivery of food by the authorities. Members also drew up a list of demands.

The Attica affair lasted for four days before authorities recaptured the contested areas of the prison. Counting state troopers, correctional officers, and local police and deputies, there were about 1,100 officers involved. Authorities were divided in opinions regarding how to cope with the crisis. Oswald wanted to negotiate, but many officers thought that this was a bad idea. Governor Rockefeller played politics, as usual, with his eye on the vice-presidency to come. A few outsiders came to offer their services: a Black assemblyman from Buffalo, and a law school professor. Oswald allowed them to contact the rebellious inmates and accept their "demands." During the next few days, there were also media interviews with inmates, mediators, and others involved in the negotiations. It took three days to arrive at the conclusion that negotiating with the inmates was unproductive. It took another day to act on it.[7]

Finally, at 9:46 A.M., on Monday, September 13, state troopers acted to free the hostages and suppress the disorder. They began with tear gas and gunfire, to prevent harm from coming to the hostages. Rifle and shotgun fire turned out to be less accurate than anyone had anticipated. Thirty nine people were killed, including 10 hostages. There were about 90 wounded.

Attica was a watershed event. It wasn't the first, nor the last, prison riot, but it was a textbook example of what could go wrong with handling a riot. Let's go over the points Attica demonstrated, and list some of the inadequacies of prison authorities' response:

- Failure to take immediate action and impose discipline after the early actions by prisoners.
- Failure to respond immediately with overwhelming force when inmates attacked officers.
- Failure to maintain physical facilities in a secure and acceptable manner. This failure led to inmates' being able to break through the gates at Times Square and other places.

- Failure to delegate use of force down to appropriately low levels. Some officers did not use all of the means they had at hand because they needed clearance from higher authority.
- Failure to procure appropriate technical means to suppress prison disorders, such as permanently installed tear gas sprays, controlled from a secure central control point.
- Failure to have an on-call plan, or other means of bringing reserve officers quickly to the scene.
- Failure to understand that negotiating with any inmate committee was a waste of time. Events showed that, as soon as the state agreed to concessions, inmates rejected them and made new demands. Meanwhile, the state supported the inmate rebellion with food.
- Failure to use deadly force as soon as necessary. Gunfire in the early stages would have made it clear to the inmates that they were not going to walk away from this one. Frankly, shooting a few people at the outset would have been an excellent deterrent to the rest.
- Failure to keep out all non-essential personnel, especially the media. It was especially damaging to allow the media to interview any inmate.

From this list of failures, it's easy to see that events snowballed, with the situation becoming worse at an almost exponential rate. It's clear that, had prison authorities acted promptly and effectively, they might have controlled the situation with non-lethal force. Once it went totally out of control, the odds of a nonviolent resolution shrank drastically.

Joliet

Seven hundred and thirty five inmates occupied Joliet's four units in 1975, the year of the riot, although the incident involved only the West Cellhouse, with 300 inmates. Members of several Chicago street gangs comprised over half the inmate population, and dominated inmate life. Incredibly, gang members displayed such solidarity that they intimidated the guard staff, many of whom were afraid to trespass on "gang territory" inside the prison. The gangs also several times intimidated prison officials into dropping disciplinary charges for fear of a riot.[8]

Years before, Warden Joseph Ragan had ruled Joliet with an iron hand, using heavy discipline to keep inmates in line. Inmates marched silently to mess hall and work assignments, and friendly conversations between guards and inmates were forbidden. Ragan's successors tried to maintain the tradition, but were not as exacting. A liberal administration came to power in 1969, leaving a vacuum which the gangs exploited.

Prison authorities actually abdicated power, allowing gangs to run extortion rackets and other illegal activities within the walls. Gang-rapes of Caucasian inmates were common. A new warden recognized one gang, the Blackstone Rangers, as a religious organization, and actually met and negotiated with them, as well as with an inmate council composed of Rangers, other gang members, and two non-affiliated inmates.

Once authorities relinquish power, it's harder to re-impose it. A new administration mandated non-recognition of the gangs, and a new warden, Fred Finkbeiner, began imposing new controls. There was some static from inmates, and the warden decided to transfer three of the most troublesome to another prison. On the morning of April 22, 1975, guards informed the inmates concerned of their impending transfers, but at 12:30 P.M., one of the inmates refused to go. A fight started. By shortly after 1 P.M. inmates had taken several guards hostage. They'd also killed one inmate who had dropped out of the Rangers, and injured several guards.

Between 2:30 and 3:00 P.M., Warden Finkbeiner had his officers fire tear gas into the cellhouse, but this had little effect and did not force surrender. A squad of officers entered the cellhouse, and started climbing the stairs. Inmates threatened to kill their hostages, and when the guard leader saw the dead inmate, he had his men retreat. The inmates then offered to release the hostages if the warden canceled that day's transfer, promised not to mistreat the inmates, allowed a TV reporter into the prison, and played the agreement over the prison's radio network. The warden agreed, and by 7:00 P.M. the riot was over.[9]

This wasn't as spectacular a riot as Attica, and Warden Finkbeiner's early show of force demonstrated to the inmates that they would get away with only so much. Finkbeiner was flexible enough to negotiate when he thought it would work, but he did not allow the inmates to lead him around by the nose.

Once the riot was over, guards searched every cell, inflicting copious damage to the inmates' possessions. As the warden had agreed to cancel that day's transfer, he waited a few days, and had the three inmates transferred then.

Prevention

There are several effective measures for prevention of prison riots. One is physical security, including not allowing large gatherings of inmates. Separate yards are as important, in this respect, as separate cell blocks. Keeping inmates

in small and manageable groups helps the administration and guards to control them.

Observing the early warning signs of disturbances can provide officers with cues. One is increasing grouping of inmates by race, suggesting that racial tension is increasing. Another is above-normal buying at the commissary, anticipating a lockdown. Other signs of increasing tension are a decrease in drug and alcohol consumption, showing that inmates are maintaining a higher state of alertness. There are also some very visible and tangible ways inmates display an increased state of alertness, such as staying awake at night, sleeping in their clothes, and wearing several layers of clothing as armor against stabs or blows.[10] Another way to anticipate disturbances is close surveillance of troublemakers. In each institution, there's a small, hard-core group of leaders and agitators who are central to the problem. Using a network of informers to keep close watch on these will help avoid problems.

Preventive detention is a tactic that can short-circuit a prison riot. Locking up the leaders at the first hint of trouble decapitates the revolt. Detention can continue as long as necessary.

Failure to isolate agitators can have serious consequences, as happened at Attica in 1971. A cartel of five inmates was keeping contact with inmates in other prisons, coordinating a manifesto of "demands" they intended to place before the prison administration. Superintendent Mancusi wanted to take the mild and prudent step of breaking up the clique by transferring them to different prisons. His boss, Commissioner Oswald, refused permission.[11]

Incapacitating leaders and potential troublemakers with intensive psychiatric treatment is another way of keeping the lid on any potential problems.

Deterrence can be critical in preventing riots. Making it clear to inmates that reaction will be swift and sure will go a long way towards dissuading troublemakers and their supporters.

Another critical step is censorship of news. There's ample evidence of "copycat" incidents, both in crimes outside the walls and within. One riot usually is the precursor and inspiration for others. For example, when inmates at the State Prison of Southern Michigan rioted on May 22, 1981, they began a chain reaction. Next to go was Ionia, the very next day. On May 26, inmates at Marquette revolted.[12]

This shows very clearly that, when a riot occurs in one prison, it can inspire one in another, especially within the same state and the same penal system. This is a convincing argument for strict censorship of news available to inmates, especially during critical periods. This will involve both print and electronic media,

with radios and TVs capable of outside reception unavailable to inmates. All programming should be recorded, and viewed by prison officials, before release over a closed-circuit system.

During a critical period, it's almost certain that news of riots at other institutions will enter the prison via visitors. This is justification for suspension of visiting until the end of the crisis.

Reaction

One point that many prison administrators repeatedly fail to understand is the need for rapid reaction to any prison disorder. When inmates riot, destroy cellblocks, or take hostages, time is not on the administration's side.

Any delay in implementing counter-measures allows the riot to spread to other units, as the news travels on the grapevine. In fact, it's almost impossible, given the close confines of a typical prison, to avoid other inmates' hearing the noise of a large-scale uprising.

Delay allows inmates time to take and harm hostages. A riot is typically payback time for snitches and suspected snitches. In one recent prison riot, inmates caught several informers in their cells, and tortured them to death. Vengeful inmates clubbed them, and in some cases castrated the snitches. They used acetylene torches to kill others.[13]

Delayed response also allows inmates to formulate demands, to try to negotiate conditions for surrender. With enough delay, some may begin to act as if the prison administration is willing to grant amnesty in exchange for surrender and release of hostages.

Letting time pass also allows the media to discover the riot, and to send crews to cover the events. This is especially dangerous, because inmates may demand media interviews in exchange for release of hostages. Once this begins, the situation deteriorates beyond repair, because the administration must then fight a propaganda war with the inmates, impeded by the liberal bleeding hearts in the media.

With enough delay in suppressing the disorder, politicians enter the picture. The commissioner of corrections, or even the governor, may appear on the scene, making self-serving public statements that cut the ground from under the prison administration.

When prisoners at Leavenworth rioted in 1918, guard response was swift. A squad of armed guards entered the yard to face the inmates. When a mob of con-

victs charged the gates, guards opened fire with shotguns, stopping them in their tracks. The inmates trickled back to their cells, and although the administration dithered for eight days trying to decide what to do about the riot, it was effectively finished. A new commander transferred the most dangerous inmates to Alcatraz.[14]

Administratively, reaction to a riot is similar to coping with an escape. Summoning the on-call reinforcements is a vital first step, because augmented manpower is necessary for some counter-measures.

The other important point is using all necessary force, instead of minimal force, because a prison riot is unlike civil disorders outside the walls. Although many inmates won't have central roles in the disorder, there are no totally innocent people on the scene.

A useful physical control measure is built-in tear gas sprays, to flood all inmate areas with an overwhelming concentration. Officers in the central control booth can flood cell blocks selectively, to stop a riot or prevent its spread. If, as in older institutions, no centrally-controlled tear gas dispersion system exists, officers can throw or fire tear gas projectiles into the affected areas.

Another physical control measure is the "lock-down." This is locking all inmates into their cells for the duration. Electrically controlled gates can seal each cell block off from other areas, including other cell blocks, yards, and corridors. A few trustees, under heavy guard, can prepare food and distribute it in the cell blocks. Under riot conditions, cold sandwiches may be the only expedient way to feed inmates, but this isn't a particularly cruel diet, and is fully justified under the circumstances.

A compromise measure for use after it's no longer necessary to maintain the lockdown is the "Iron Rule." This is a strict code of conduct for inmates, requiring total silence except in the cells. Inmates approaching an officer have to fold their arms when twenty feet away, and to keep them folded until twenty feet past him. Any inmate wishing to speak to an officer has to raise his hand, and wait until the officer gives him permission to speak. The rule also disallows carrying of tobacco and matches outside the cells.[15]

Gunfire is effective for stopping escape attempts, selectively picking off leaders and agitators, and safeguarding the lives of hostages. If all rioting inmates are out in the open, this is a good case for using gunfire immediately, before they can take cover. Once inmates take hostages into the cell blocks, it becomes much harder to rescue them.

Another compelling reason for immediate and forceful action to rescue hostages is the potential for emotional harm to them if the situation deteriorates into a

prolonged stand-off. Being captive is frightening, and a period of prolonged terror can scar hostages for life.

Negotiations

In principle, there should be no negotiations with rioting inmates, because recognizing them provides an aura of legitimacy. In practice, prison administrators may have to do it.

There are only two reasons for prison administrators to negotiate with inmates:

1. To gain time to prepare a forceful counter-attack.
2. To secure the release of as many hostages as possible, to clear the way for an attack.

Certain items are not negotiable. Administrators may not trade weapons for hostages. They also may not allow any inmates to go free. Granting media interviews in return for any concessions by the inmates is out of the question. Experience shows that con-wise inmates are skillful at manipulating media people, many of whom are bleeding hearts, anyway.

Trading food for hostages is certainly allowable. Any released hostage is a source of information regarding inmate numbers, weapons, dispositions, and even plans. Trading may also allow other information-gathering, to help plan an attack. The amount of food inmate negotiators request may pin-point the number on the premises, if authorities don't already know.

Sources

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2. *States of Siege*, Bert Useem and Peter Kimball, NY, Oxford University Press, 1989, pp. 3-4.
3. *The Rock*, Pierre Odier, Eagle Rock, CA, L'Image Odier Publishing Company, 1982, pp. 189-195.
4. *States of Siege*, pp. 29-30.
5. *Ibid.*, pp. 30-31.
6. *Ibid.*, pp. 33-34.

7. *Ibid.*, pp. 34-45.

8. *Ibid.*, pp. 59-62.

9. *Ibid.*, pp. 71-77.

10. *Games Criminals Play*, Bud Allen and Diana Bosta, Susanville, CA, Rae John Publishers, 1981, pp. 27-28.

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13. *The Hate Factory*, W.G. Strong, Agoura, CA, Paisano Publications, 1982, pp. 65-79.

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15. *Ibid.*, pp. 12-13.

• 11 •

Public Relations

An important aspect of administering a prison system is public relations. Too many administrators think of their prison as a closed society, sealed from the outside world, and in which they can conduct their business as they see fit. In the past, it may have been so. Legislators may have simply awarded prison administrations their budgets, and left them to go about their distasteful jobs as they saw fit. Today, legislative oversight is a fact of life, as is judicial interference.

Court decisions have changed the way American prisons operate. Several decisions have affected "double bunking," and made life harder for harried administrators struggling with crowded institutions and limited budgets.

When an inmate escapes, it's definitely a public matter. Both prison officials and police agencies need the cooperation of the public. It may be necessary to reassure people that authorities are doing everything possible to recapture the escapee, or that the escapee is not dangerous. If the escapee is dangerous, it must be plain to citizens and taxpayers that both police and prison officials are making a maximum effort to apprehend him.

Other incidents requiring a public relations effort are violent incidents within the prison. There are inmate stabbings, riots, and other violent incidents, and it's better to provide a release to the media than have them speculate on happenings inside the prison, or to obtain their information through the back door.

Any sort of violent attack by an inmate, whether against an officer or another inmate, makes good material for a press release. These incidents are important for keeping in the public's consciousness the fact that prison inmates are dangerous and violent people, justifying strong measures to control them.

Public Relations Policy

There's a definite need to reach out to both the public and the press, which is why each prison should have a public relations officer. This person should be an experienced corrections officer, and have the language skills and personality for dealing with the media.

A serious mistake many police and prison administrators make is to assign a misfit to the post, making it a dumping ground for anyone whom they cannot fire for lack of evidence. The competent public relations officer can do a lot of good. The incompetent misfit can do a lot of harm.

The talented and competent public relations officer cultivates his relationships with members of the news media, and fosters their confidence in his statements. One of the best ways to do this is by being straight-forward with the media. Media people are experts at detecting lies or evasions, and once they lose confidence in a P.R.O., they never regain it.

There are bound to be topics which the P.R.O. cannot discuss with the media. In such cases, the officer simply tells media representatives that he cannot comment on this topic, because it's sensitive. They won't like it, but they'll have to give him credit for honesty.

Public Education

A prison administrator who neglects public education is failing in one of the more important facets of his job. Both the news media and the academic community fail to document the true status of prison inmates, thereby presenting misleading images to the public.

One outstanding example is the book on inmate language and slang, *The Joint.* This describes in exquisite detail the dehumanizing effect of confinement in jail and in prison, and how this treatment demoralizes the inmates. By contrast, it has little to say about the crimes for which these inmates were convicted, and the harmful effects upon their victims. Headings such as "Crime" and "Victim" are not even in the book's index, which lists "Chaining Procedures," and "Psychological Stress." This is an example of an academic having been conned by the inmates she interviewed. However, conning university types is only one aspect of the public relations con game played by inmates.

Some convicted criminals become public figures, because they're both intelligent and articulate. Some, such as Caryl Chessman, write books. Others

write articles, appear on TV shows, and present themselves to the public as nice guys who should not really be confined in such a dehumanizing atmosphere.[1]

Unfortunately, the "bleeding heart" faction has a long history. Cesare Beccaria, who holds the dubious title of "Father of Modern Criminology," criticized judges for the harsh punishments they imposed. His 1764 book, *On Crimes and Punishments*, was slanted to give offenders every benefit of the doubt, and to make it appear that they were totally undeserving of being punished. This type of reasoning has even infected professional groups. A book published by the American Correctional Association has a message opposed to capital punishment. It states that after Canada abolished the death penalty in 1976, the murder rate declined.[2] There's no mention of the increase in the American murder rate after the moratorium on the death penalty, beginning in 1968. There were 13,650 murders that year. By 1977, when executions resumed with the firing squad death of Gary Gilmore, the annual number of murders had risen to 19,560.[3]

Strident propaganda by "prisoner's rights" groups, as well as people whom we can call "bleeding hearts," has brought about a series of new laws, as well as court decisions, based on the idea that convicted felons have "rights" which are constantly being violated by prison staffs. Some have been so bold as to present convicted felons as society's victims, totally ignoring the plight of the felons' victims. As a result, prison administrators in many states are severely restricted, and have less leeway to enforce security than before.

One way to overcome this is by making an effort to educate the public about prison administration. Police agencies have been remarkably successful in bringing before the public the image of the dedicated and hard-working police officer. By contrast, the public image of the correction officer is that of a brutish "hack."

Prison staff members have many opportunities to educate the public, but rarely take advantage of them. Some of these lost opportunities are:

- Word of mouth. Prison staff live in the community, and have friends and associates who are neither inmates nor guards. These people have the right to vote, and their help can be decisive in certain instances.
- Public speaking engagements. Prison staff are also members of clubs and associations, and these often seek speakers for club programs. A staff member should be alert to these, and if he cannot deliver a speech himself, should propose to the program chairman that he invite someone else from the prison to present a program.
- Schools. School civics and social studies classes are excellent vehicles for reaching impressionable young minds. Offering social studies teachers prepared programs on penal administration allows them to show students how a part of the tax dollar is spent, and the relevancy of the penal program to the criminal justice system.

- Scout troops and other organizations. There may be special programs for these organizations, and even field trips to the prison, to show their members first-hand what a prison is and how it operates. Another opportunity is the "Explorer" troop. Some police agencies sponsor Explorer troops as future recruiting bases. Prisons should do the same.

- Inviting media coverage. Prison officials should reach out to contact members of the media who have objective attitudes and track records for not sensationalizing or otherwise distorting topics. Close cooperation with a writer or a TV film crew can bring far-reaching effects entirely out of proportion to the effort required to carry the project.

- Legislative liaison is very important, and should not consist of merely answering legislators' questions when called before a committee. A pro-active legislative program involves contacting both individual legislators and committees, and offering educational programs. A favorite is the specially conducted tour of an institution, to enable legislators to see first-hand the problems and measures to cope with them, and to ask questions on-site, where answers will be more convincing.

  A critical point in legislative liaison is to show legislators how con-wise inmates operate. A collection of case histories illustrating how inmates manipulate the truth for their own ends is helpful. Without this information, legislators may allow themselves to be unduly influenced by inmates agitating for their "rights."

- Coordination with the officers' fraternal organization or union is important, because there's more to gain by cooperation than by contention. Unions can lobby for higher wages and better benefits, all of which ultimately benefit both officers and administrators. Having the union's legislative liaison people on the administration's side can be very helpful when a critical bill comes up before the legislature.

- Publications. The New York State Department of Correctional Services publishes an informative booklet, *Characteristics of Inmates Under Custody*, listing the offenses for which its charges are serving time. This annual publication helps to dispel the idea that inmates are unjustly confined, or serving time for minor infractions.[4]

Program Content

There are several major points to convey during any prison-oriented program, to counter the negative propaganda fostered by "prisoner's rights" groups. These

points are all based on documented facts, and should be easy to present to both youth and adult groups. The following points are essential:

- Inmates are confined because they have hurt people, not because they're political prisoners or members of minority groups. It's easy to support this point, because convictions are public record. This overcomes the erroneous idea that inmates are some sort of "victims."
- Prison security is necessary, because convicted lawbreakers are dangerous people. Prisons are designed for security, not as luxury hotels, and the "guests" are both unwilling and dangerous.
- Extreme measures, such as body searches, are also necessary, because of the intense effort prisoners devote to obtaining contraband. Documenting this point requires only displaying a collection of drugs and weapons seized during searches. An exhibit showing sharpened toothbrush handles and other improvised weapons confiscated during searches will drive home this point vividly.
- Today, there's such a shortage of prison space that only the most dangerous felons and the most hardened criminals actually remain inside the walls. Court-ordered early release programs have forced the release of many non-violent inmates. A collection of newspaper articles helps put this point across to the audience.
- Prison officers are actually fairly ordinary people, male and female, who have families, just like many other working people. Prison officers do a dangerous and difficult job, because constant contact with convicted and dangerous felons eight or more hours a day is hazardous. This point serves to humanize the person behind the uniform.

A successful public education program can bring large dividends, especially at budget time. Although voters are often apathetic about appropriating money for prisons, preferring to complain when a prisoner escapes and goes on a rampage, there is still good reason for public education. Educating legislators helps obtain sufficient appropriations. Educating the public helps these legislators if they have to explain to their constituents why they have voted to appropriate more for the prison budget.

Sources

1. *Just and Painful*, Graeme Newman, NY, MacMillan, 1983, pp. 61-62.
2. *The American Prison: A Pictorial History*, American Correctional Association, Publishers, 1983, p. 145.

3. When discussing any topic as emotional as capital punishment, it's important to have the facts at hand to refute the opposing viewpoint. Regardless of the experiences in other countries, the main point is that in America, recent experience shows that when the death penalty stops, murders rise, and when executions resume in a credible manner, murders drop. Between 1977 and 1981, there were only four executions, and the yearly number of murders rose to a high of 22,520. The pace of executions increased, and by 1987, when almost 100 persons had been put to death, the number of murders per year had dropped to 20,096.
4. *A Prison And A Prisoner,* Susan Sheehan, Boston, Houghton Miflin Company, 1978, p. 11.

• 12 •

Training

Proper training after hiring, and before active service, is vital for two reasons. The first relates to job competence, which is too important to leave to chance. Traditionally, the only training was "On the Job Training," with new officers assigned to work under the tutelage of experienced ones, "learning the ropes" as they went. Quality of instruction depended very heavily on the ability of the senior officer, and there were no established courses or lesson plans. Whether a new officer made it through his probationary period or not depended a lot on the subjective judgment of senior officers, not the accomplishment of any skill-related goals. In short, training was haphazard.

The second reason for proper training relates to liability. In this lawsuit-happy country, failure to train officers is a major liability, and it can kick back in the faces of administrators who continue to employ untrained officers. Jailhouse lawyers are constantly seeking to exploit weaknesses, and they're ready to sue on the slightest pretext.

Liability isn't just a problem with inmates' lawyers. An officer who is injured or loses his life because of neglect to train him in essential procedures has grounds for a lawsuit. If he dies, his survivors can sue. Likewise if lack of skill on another officer's part results in death or injury. The administration is at fault for this oversight.

The Training Syllabus

Training should take at least 16 weeks, half in the classroom and half on the job, breaking in with hands-on experience at the actual assignments. Certain topics are purely academic, and classroom lectures are adequate to teach them. Others, such as interpersonal communication, require role-playing, and physical skills require training at a firing range or in a gym. Topics to cover should include:

Orientation.
Attitudes.
The Inmate Population.
Interpersonal Communications.
Security Procedures.
Escape Prevention.
Physical Training.
Unarmed Combat and Control Procedures.
Use of the Baton.
Chemical Agents for Control.
Firearms Proficiency.
Riot Control.
Public Relations.

There should be a written lesson plan for each bloc of instruction, to document the topics in the course. This is important for consistency, and to allow designing examinations. There should also be a written policy stating that instructors are to teach strictly according to the lesson plan, and not introduce new topics off the tops of their heads. Instructors should also avoid making jokes during a lesson, and above all, avoid making racist remarks or using racist terms in referring to inmates. These points are crucial for liability avoidance.

Another critical point is to have cadets sign in at the start of each training day. A sign-in sheet listing the title and number of the course will document that the students who signed in received a particular bloc of instruction. This is as important as keeping records of "qualification" scores through an officer's career.

Another aspect of documenting all aspects of instruction is to require periodic written tests to show how well each student has absorbed the material. However, instructors must recognize that not all tests are worthwhile. The worst is multiple-choice, simply because a student can get some answers right by chance alone. A poor student can answer the questions he knows, and "fake" his way through the others. Filling in blanks is not as bad, but the main problem with this type of test is that the sentence itself often suggests the answer.

The best type is the essay test, in which the student must write out his answers. Some questions will require only a sentence or two to answer, while others will require a well-organized essay of a page or more.

All questions should relate to the material in the lesson plan. This ensures that the test is fair, and it helps document how well the student has absorbed the material. In designing an essay question, the instructor must list on a separate grading sheet all points to cover. An example would be:

What are various types of material considered contraband in this institution?

1. Firearms or edged weapons.
2. Drugs not prescribed.
3. Pornography.
4. U.S. currency.
5. Hand tools of any sort.
6. Any material useful for escapes.
7. Any appliance not covered by a written authorization.
8. Food items in the cells.
9. Non-issue clothing.
10. Any flammable liquid.

The instructor can assign ten percent score for each of the ten points, and grade performance on that question accordingly.

This type of test is the most difficult for a semi-literate or illiterate person to pass, and regular essay-type tests allow instructors to dismiss undesirables while documenting that they're unable to comprehend the instruction. This should help the morale of qualified cadets.

Orientation

This provides an overview of both incarceration in general, and the particular system in which cadets will work after graduation. It's important to have cadets understand the rationale behind incarceration procedures, and the various choices there are between different systems.

An important aspect of orientation is a physical tour of the facility, to acquaint cadets with the physical plant, as well as special security problems and procedures for each area. This also allows cadets to see the facility in action, and to speak with experienced officers.

Asking questions is an important part of orientation, because this provides feedback regarding cadets' attitudes, and how much knowledge they're absorbing. Questions can also serve as early warning signs of potential problems. This is important to instructors because a certain proportion of each class will wash out, and it saves time to spot the duds early.

Attitudes

The basic point to impress upon cadets is to have a guarded attitude towards inmates, both for self-protection and on general principles, because the inmates are

sociopaths. Training should emphasize that officers should not act upon anything an inmate tells them unless they can verify it through another source.[1]

One of the most important points to put across to the cadets is to avoid any feelings of guilt regarding inmate handling. An officer who is both sympathetic and empathetic in dealing with people will find these good qualities are vulnerabilities on the job, because inmates will take advantage of him.[2] Prison inmates have chips on their shoulders, and are adept at placing blame upon everyone but themselves. One example is the description of the intake process by an articulate inmate, in which he compares intake processing to the treatment given Jews in Nazi concentration camps.[3] He ignores that Nazi camps held many people who had committed no crime. This inmate also states that prisoners are treated worse by the state than dogs at the Society to Prevent Cruelty to Animals, again ignoring the fact that the dogs have not committed any crimes.[4]

Con-wise inmates are good "street psychologists." They develop sensitivity to those who are vulnerable to conning, and whom they can bulldoze emotionally with a guilt trip. Any officer who begins feeling sorry for the inmates lays himself open to exploitation, because he'll be tempted to bend or break the rules to make life easier for them. It may start with taking a letter out past censorship, and continue with bringing in money or drugs for an inmate.

A typical scenario may start this way. An inmate approaches an officer whom he has perceived to be sympathetic, and tells him, "I just finished this letter to my wife, but it missed the outgoing mail. It's really important that she gets it, so could you take it out and mail it for me?" Any officer who falls for this approach is allowing the inmate to set him up for further exploitation. One inmate persuaded a prison medical employee to bring in a piece of salami for him, because that type was unavailable in the prison commissary. He later asked the employee to bring in drugs, stating that he had the salami as evidence and would report the employee if he did not agree to smuggle in drugs.[5]

Another point is to avoid the attitude that each encounter with an inmate is going to be a macho contest. Most of them are routine, and need not be difficult. The officer who keeps a chip on his shoulder will sooner or later find an inmate willing to knock it off. Worse, he'll be blind to the fact that many encounters with inmates are manipulative trips.

Developing a correct attitude is important, because the strain of dealing with manipulative inmates is very stressful. Some officers leave the job for this reason.[6] Another problem is emotional contagion. People who are fearful or depressed often pass it on to others, and when they're on the job for eight or more hours, it increases vulnerability.[7]

Boredom is a constant problem for officers, as well as for inmates. Bored correctional officers become less alert, and become security risks themselves. It's important for instructors to deal with this problem early by admitting that much of the work day will be boring, because nothing untoward happens during an officer's shift. It's equally important to teach cadets how to deal with boredom.

The best way is by remaining alert and observing everything possible about inmates' behavior. Looking for patterns helps form a clear idea of what's usual or "normal" behavior for each inmate. This will help the officer detect behavior violating this pattern, which can be early warning of an escape attempt, a stabbing, or a homosexual rape.

This is so important that two authorities in the field have developed a list of warning signs to note. These provide early warning that something serious is about to happen.[8]

An increase in apparent emotional tension shows itself by unusual silence, or unusual noise. There can also be an increase in insults, name-calling, threats, vandalism, and personal violence. Inmates may begin gathering in unusual places, or small groups may break up when an officer approaches.

The Inmate Population

Each prison system is somewhat different from others, partly because of different needs posed by a different inmate population. Within a particular system, there will be special types of institutions, such as women's prisons, juvenile reformatories, etc. It's important to outline the types of inmates in each to correctional cadets. Within an institution, there will be several sharply differing types of population. A maximum security facility will have cell blocks for new arrivals, as well as for those about to leave. If the institution contains means for executions, there will be a death row, with logistic and security problems very different from the rest of the prison.

Interpersonal Communication

A basic fact of interpersonal communication when dealing with inmates is that the relationship is inherently unequal, and that it's dangerous to take anything at face value. Inmates don't have the ascendancy in force, but they try to compensate by guile. One authority states that "deception is a way of life in the streets," and he's probably correct.[9] However, deception is central to life within the walls. Officers daily face hardcore sociopaths, whose predatory orientation depends on

never giving anyone an even break. This is why officers can expect that every request, and every statement, by an inmate masks a hidden meaning or a hidden agenda. As another authority puts it, "Inmates spend a lot of time reading people in order to con them."[10]

Prison inmates have developed a system of observing, selecting, and setting up vulnerable officers. There's a genuine team effort to this end, and a division of labor. Some inmates are simply observers, reporting on officers they feel may be vulnerable. Others with specific information serve as contacts, while others play more active roles. Some inmates will try to snuggle up to an officer and play upon his kindness or friendship. Yet others act as look-outs.[11]

Female inmates pose an even more serious problem. In 1989, there were over 36,000 women incarcerated, compared with over 600,000 men. However, this proportion has been steadily rising over the years, and we can expect to see more females confined in the future. Corrections officers have noted that female inmates try to use sex as a weapon, and they "play some very good games."[12]

Let's not give prison inmates too much credit for intelligence. If they were really smart, they wouldn't be where they are. The smartest criminals remain free, because they can outwit the criminal justice system. The danger is not being outsmarted by intellectually brilliant inmates, it's being caught off-guard because prison inmates are constantly trying to outwit officers, work at it very hard, and if they don't succeed at first, they keep trying. One of the most oppressive features of prison life is monotony, and some inmates try to relieve their boredom by playing mind games with the hacks. Some become very good at it. By constant repetition and practice, they polish their techniques. They also seek out vulnerable officers with whom their games will be most successful.[13]

Officer Vulnerabilities

We all have levers that others can use to manipulate us, if we let them. A valuable checklist of personality traits that make us vulnerable to mind games is in *Games Criminals Play*.[14] This list lays out various normal personality traits that provide levers for manipulative people.

As we get older, we may develop some emotional armor, in that we've been exposed to manipulators, and have learned how to deal with their tricks. We can also develop an attitude of limited caring, in the sense that we care less about other peoples' reactions to us, and are therefore less vulnerable to manipulation by positive and negative reinforcement.

Some officers want to be liked so much that they are worried about being disliked. This is a weakness, and letting inmates know this is a major mistake.[15] This is like the military officer or civilian supervisor who wants very much to be

liked by his subordinates. He may fall into the trap of allowing his quest for popularity to override performing his job correctly. Doing favors for inmates is the beginning of bending and breaking rules to gain popularity.

It's a serious mistake to appear to want to be a "nice guy" to inmates. This is because inmates interpret trying to be nice as a sign of weakness, and inmates will exploit this to the limit.

A similar problem arises when facing an inmate who appears angry, or emotionally explosive. Some use this technique to intimidate people, feigning anger or emotional instability to persuade others that the safest course is to "back off." It may take time for a new officer to build up enough self-confidence to face an apparently angry inmate. It's a mistake to back off and seek to placate the inmate making such a play.[16]

The concept of personal space is very important inside the walls, where people are closely confined. Most people feel comfortable when others remain outside their personal space, which is usually arm's length or more. This is especially true when speaking. Exceptions are when standing in line or in crowds, as in an audience.

Getting close to someone means crowding his personal space. A slang expression for this is "getting in his face." It's threatening and intimidating, and many people will reflexively step back when someone crowds them. Some inmates will use this tactic as a way of testing a new officer for vulnerability, stepping very close to him to see if he retreats.

Another vulnerability occurs in dealings between officers and inmates of opposite sexes. Some inmates may act seductively in their efforts to control officers.[17]

Vulnerabilities can develop if the officer crosses the line prohibiting personal conversations with inmates. Sharing confidences presents the inmate with insights into the officer's vulnerabilities, and softens the relationship for the officer. This is a common failing, partly because officers become bored and lonely. Officers who make the mistake of developing personal relationships with inmates, or who reveal personal information, however harmless it may appear, are security risks.[18] Familiarity may not breed contempt in civilian life, but behind the walls it certainly does, because correctional officers deal with people who are contemptuous of others, and who seek to exploit every opening.

Dealing With Inmates

Any officer who has to deal with inmates face to face must be aware that prison inmates are intensely manipulative. They observe the officers, "read" them, and

exchange notes on which ones may be vulnerable to a sympathy pitch, bribery, or even threats. This is why an officer must observe and listen to inmates on two different levels. First, he must note the overt content of an inmate's statement. Secondly, and more importantly, he must analyze the statement for hidden meanings or purposes, always asking himself, "What's he got to gain by this?" Becoming familiar with various techniques of manipulation used by inmates will provide the intellectual and emotional tools necessary for countering them.

Basic attitudes displayed by inmates are often simply surface decoration, employed for a hidden purpose. An overly respectful manner towards officers on the part of a repeat offender rings false, because it's designed to convince the officer that the inmate is cooperative, and not dangerous. If an inmate compliments an officer, it's merely an attempt to "suck up" to him.[19] In reality, it's good practice to be constantly watchful, and alert to deceptive tactics by inmates.

Some of the hidden purposes in their behavior are attention-getting, power plays, and plays for sympathy.[20] An inmate who acts flamboyantly, and who is an obvious show-off, is an attention-getter. This is the most harmless of the motives, most of the time, but it's important to remember that inmates may stage a spectacular scene, such as a fight, to get your attention away from something else. An example is a shouting or pushing match that breaks out while you're checking inmates leaving a metal workshop with a metal detector. You turn your head, and may take a few steps towards the disturbance, while an inmate with contraband on his person slips out the door.

An inmate may use the power play, challenging an officer's authority or status. There are many ways of doing this, and inmates appear to be constantly inventing new variants. An inmate who disobeys orders, or flagrantly breaks a rule, is challenging authority. Sometimes, inmates combine techniques, such as breaking rules and salami-slicing. An inmate may violate an unimportant rule, to test if the officer will bring him up on it. Leaving his bunk unmade, if the rules require making it each morning, is an example. Another is slightly violating a rule regarding taking food from the mess hall. An inmate may test you by carrying a slice of bread in his hand and conspicuously taking bites from it as he moves through the line towards the door.

The important point here is not to over-react. It's not necessary to put every incident on report. If you see an inmate begin to leave his cell with the bunk unmade, it's enough to tell him to return and make it. Some inmates are stupid, and don't understand the first time. It's sometimes necessary to explain orders in detail. You can also tell the inmate with the bread to step out of line and finish eating the slice before going out the door. In both cases, this tactic puts the ball right back in the inmate's court, showing him that he's not going to be allowed

to break the rules. If he wants to push the issue, he'll be forced to escalate by directly disobeying an officer's order.

Another tactic some inmates use is making comments about officers in "third-party invisible." This is speaking about the officer as if he were not there. Comments are usually derogatory, designed to provoke the officer into over-reacting, or making him lose status if he ignores them. If you hear a comment about yourself, such as "The new hack's a real asshole," you're in a double bind. You can't ignore it without appearing weak, and if you over-react out of anger, the inmates will learn that they can control you by pushing the right lever. One way to handle it is to confront the inmate making the comment directly, and ask him if he has anything to say to you. Facing him down this way can end the incident, or escalate it, if the inmate's looking for a confrontation. Another, less direct, way to handle it is to say loudly, to nobody in particular, "I hear someone who doesn't have the guts to say it to my face. Anybody want to say anything to me?" This puts it back in the inmate's lap, and doesn't betray any weakness on your part.

Another, and non-verbal, way of playing this trick is by stares, dirty looks, and not responding when addressed.[21] Staring and dirty looks can be very disconcerting when delivered by a dozen inmates at once. This is partly salami-slicing, because it's not overt. The inmate always leaves himself an out by claiming that he wasn't speaking to you, looking at you, or didn't hear you. One response is immediate confrontation with the nearest inmate. Walking right up to him, into his personal space, and asking, "Have you got a problem?" is often enough to force him to back off.

Ignoring a disrespectful or improper comment appears to inmates as either weakness or acquiescence. A female officer who gets a love note from an inmate should, therefore, immediately take action by a reprimand, or reporting the note to the inmate's supervisor. One who allows an inmate to touch her without taking action appears to be giving silent approval.[22]

One of the most frustrating power plays is calculated insolence. An inmate will smile broadly at you, while denying responsibility for an incident or action, such as an overturned table. If you weren't present when it happened, you can't tell him that you saw him do it. One way to handle it is to order him to clean it up, regardless of who did it: "I didn't say you did it. I'm just ordering you to put everything back on the table."

A similar tactic used by inmates is "stonewalling," or being totally unresponsive to questions. If, for example, there's been a stabbing in the shower, nobody admits to having seen or heard anything regarding the incident. Everyone present when it happened was looking the other way. A commonly-heard phrase is "I don't know."[23] Another is "I didn't see anything."

A common ploy by minority persons is the accusation of bigotry: "You're just picking on me because I'm Black." This can be very dangerous, because it can lead you into an argument with an inmate, a confrontation that can last many minutes and divert you from your job. Some inmates, in fact, play this type of accusation as a "game," a diversionary tactic to distract the officer from an illicit action.[24]

Never argue with an inmate.[25] The best answer to this type of ploy is not a direct denial, but a dismissive comment; "Can it, Buster. I've heard that one before. Just do what I told you." This lets the accuser know that you think his charge isn't worth an answer.

The basic principle in dealing with inmates is to follow the Machiavellian principle that "man is an animal that can be effectively controlled by combining force and intelligence."[26] The officer must have a clear idea of the situation to guide him, because if he doesn't clearly understand the prison environment, he'll work under a severe handicap. On the street, situations are often ambiguous. A man running with a gun in his hand might be a fleeing felon, or a shop manager pursuing him, or a plainclothes officer trying to apprehend a suspect. Police officers constantly encounter strangers, who may be extremely unpredictable.

By contrast, inside the walls situations are relatively stable and unchanging. All inmates have been convicted of serious crimes. An officer has the opportunity to learn the individual characteristics of the people in his charge. If he's alert, he soon learns who the troublemakers and con artists are. He learns to spot the borderline psychotics, and the inmates with chips on their shoulders, spoiling for a fight.

A basic step in handling inmates is to adopt a neutral tone. There's a tremendous amount of tension in a prison, because it's a behavioral sink, and the officer who adds to it unnecessarily makes his work more difficult. This is why it's vital to be civil, but impersonal, with inmates.

Another reason for adopting an impersonal, instead of a friendly, attitude towards inmates is because of inmates' value system. As we've seen, prison inmates live in a culture that places power above every other value. To them, if you're nice, you're weak. Being nice loses their respect.

When approaching an inmate, address him by his name or number, without using derogatory terms. Calling him "Jack," "Bozo," "nigger," or "asshole" will only inflame the situation if it's a routine encounter. If an inmate appears resentful, or hesitates in carrying out an order, keep your cool. If you become angry, he controls you. Some inmates practice "yanking your chain" or "tooting your horn." Always remember that it's not your purpose to face down a recalcitrant inmate on your own. You don't want to start an affray while surrounded by a dozen inmates, and if you allow an inmate to provoke you into one, you're going to lose.

Instead, repeat the order, but if he still doesn't comply, don't react as if it's a personal affront. Just tell him that those are the rules, and that he can comply the easy way, or the hard way. If he still refuses to comply, don't put your hands on him. Simply leave, and return with a dozen officers to back you up.

Face-saving is very important in inmate society, and an inmate with a reputation as a tough guy will not want to be put down by one officer. Returning with a dozen guards and presenting an image of irresistible force is a face-saving tactic for everyone. It avoids the image of him against you. Instead, it's one individual against the "system," and this way, there's no stigma for losing.

Some techniques, such as expressing sympathy for an individual's plight, can help defuse a tense situation on the street.[27] However, they are inappropriate within the walls. Your job is not to be his counselor or friend, only to ensure that he obeys the rules and follows orders. If you try to empathize with an inmate, such as by saying, "It must be rough not to see your wife for so long," you'll only give him an opening which he may exploit. It's a serious mistake to allow an inmate to dump his personal problems onto you.

Roles you can play in dealing with inmates are limited. The only appropriate one is the "command role," because trying to be an inmate's friend or counselor will only provide him with openings for exploitation. You can, however, choose to be forceful or low-key in this role. You can say, "Come on, let's move it a little faster," or if it seems appropriate, you can be more forceful, "Get moving! I won't tell you again!"

Throughout, it's important to maintain an impartial tone. An inmate might ask you, "Why are you picking on me?" In such a case, never deny that you were "picking on him." If you do, you will allow yourself to be sucked into a futile argument. Instead, simply say, "Because you're the one who was out of line," or whatever he was doing.

In street encounters, there are many unknowns, and many ambiguities. This leaves the way open to handle street situations very differently, depending upon the circumstances.[28] In a custodial setting, the officer's job is to control the situation by strictly limiting the options, both for himself and for the inmates. Because establishing and maintaining discipline is a prime object of prison custody, making and enforcing simple and understandable rules facilitates the job. A set of simple and rigid rules lessens the possibility of misinterpretation, and limits the options for jailhouse lawyers, and other manipulative types. In plain language, the rules say, "Don't argue. Obey!"

Impartiality is important, because inmates are extremely sensitive to injustices. Selectively enforcing the rules against a particular inmate because you don't like him makes it clear to him, and to others, that you're pursuing a vendetta. This

is not only an unprofessional attitude, but it can lead to your overlooking rule-breaking by other inmates against whom you do not hold a grudge. This is why you should be consistent and not show favoritism.[29]

There's an important exception to the usual rules for dealing with inmates. At times, it may be desirable to take an inmate out of circulation, and one way to do it is by precipitating an assault with provocative language. George Thompson, in his book, *Verbal Judo*, explains that private dialogue between two officers, within the subject's hearing, can challenge his manhood and stimulate him to attack. Then you've got him.

Always remember that an inmate may be trying to pull the same trick on you. An inmate who "sasses" you may be trying to provoke anger, and induce you to attack him while surrounded by a dozen inmates. He may also be trying to provoke physical violence in front of witnesses, a neat ploy in this litigious society. If you lose your temper, he controls you.

Training in dealing with inmates should always include role-playing. This gives officer cadets the opportunity to practice what they've learned, and to polish their techniques while under observation by other cadets and instructors. Instructors should watch for clarity of communication, and especially body language. Some cadets reveal, by poor posture, failure to keep eye contact, and nervous mannerisms, that they lack confidence in their ability to keep control. Role-playing allows cadets to observe these mistakes in others, and to learn from them.

Testing By Inmates

Every new officer will, sooner or later, find inmates testing him, to see how far they can go.[30] Testing can take many forms. Some will commit infractions of minor rules to see if he'll react. Others will ask for favors. Yet others will try to start conversations, to find out about him, his personality, family status, and anything else they can use to manipulate him. Testing is one tool inmates use to "read" officers.

The basic principle in "conning" people is not so much being more clever than anyone else, but in detecting people who are vulnerable to "conning." Inmates are constantly seeking officers who have sympathetic attitudes, who are naive, or who are bored or lonely, so that they can strike up conversations with them and "read" them more profoundly.

Handling Bribery Attempts

During training, it's vital to indoctrinate officer cadets regarding bribery by inmates. An instructor should discuss techniques inmates use to rope in an officer,

first by asking for small favors, then moving on to larger ones, edging him towards a point of no return. Inmates are skilled in manipulative techniques such as "salami-slicing," asking for more and more in small increments, so that the victim finds it hard to say "stop" at a particular point. Each cadet should understand that, if he breaks or bends the rules for an inmate, especially if in return for any gratuity or consideration, he's letting himself in for entrapment and blackmail.[31] Likewise, if he accepts favors from inmates, he puts himself in a position where he may feel obligated to return the favor.

Once the inmate has the officer working for him, he has a powerful lever with which to manipulate him. The inmate demands more and more, and he may use both the carrot and the stick. On one hand, he may offer substantial payments. He may also express direct or subtle threats. The inmate may threaten to reveal the officer's illegal dealings to the administration. He may also indirectly threaten the officer's person or family. "My friends outside know where you live" is one way of getting the message across to the officer.

Security Procedures

As is obvious from the previous section on interpersonal relations, an important goal is to avoid letting inmates compromise security through their mind games and manipulative techniques. Cadets also need special training in prison-oriented security techniques, such as the mechanics of handcuffs and other physical restraints, cells, gates, and locks, and various electronic sensor systems in use within the system.

There should be hands-on training in all security procedures, including techniques of physical search. Searching inmates is routine and essential. Practical training in searching cells allows cadets to see for themselves various ingenious ways inmates hide contraband.

Escape Prevention

This overlaps with security, but is specifically aimed at forestalling or stopping escapes. This is the appropriate point to discuss use of force policy, which should always be in writing, with a copy for each cadet. Cadets should sign receipts for each policy issued to them.

Typical use of force policy covers the point that the purpose of using deadly force is to "stop," not to kill. This must be part of the lesson plan, but the instructor must also emphasize that, in many cases, it's not possible to "shoot to wound."

Simply scoring a hit on a fleeing inmate can be difficult enough, and there's no assurance that a shot won't be fatal. The emphasis must be on understanding the situations that justify deadly force, and the instructor must explain these in detail, giving examples of each.

Escape prevention also covers static security, such as methods used to keep inmates from escaping over, under, or through the walls, and mobile security. Inmates assigned to work gangs outside the walls pose special security problems. So do inmates being transported from one facility to another, or to court.

Physical Training

This is an oft-neglected topic, but administrators are becoming aware that there are many excellent reasons for physical training programs, both during training, and throughout an officer's career. Some officers starting in their careers are flabby, while others let themselves go as they age. Being in poor physical shape invites problems.

A program of good physical training can reduce sick days and health insurance premiums. The value of these benefits is obvious. Good aerobic training helps keep the respiratory and circulatory systems in good shape.

Employers, especially those involved in public safety, are becoming increasingly aware that employee health is partly an employer responsibility. This is why, for example, some are refusing to hire smokers or heavy drinkers. Avoiding employees with destructive habits isn't enough. A positive, employer-sponsored program promoting employee health brings increased efficiency and competence on the job, as well as reduced employee illness costs.

Also important is physical fitness in relation to dealing with inmates. A soft and flabby officer doesn't appear as competent to inmates as does one in good shape. Inmates scrutinize officers carefully, sizing them up, and one of the criteria foremost in their minds is whether they can "take" a particular officer.

General health and fitness suffer when officers work at sedentary assignments, such as office, control room, or guard tower duty. A program of physical training helps keep officers healthy and fit.

Unarmed Combat and Control Procedures

The need for this training is obvious. Police officers know that they may go their entire careers without becoming involved in a gunfight, but will often have to use

empty-hand tactics to control or subdue an offender. Inside the walls, a correctional officer is far more likely to be involved in a punch-out than a shoot-out.

What makes unarmed combat particularly important for correctional officers is that almost all of the inmates are experienced in "street fighting" and can be very dangerous, even unarmed. An officer can't always depend on numbers to help him prevail in an encounter, and must be prepared to use fists and feet to subdue a combative inmate.

In such cases, it's important to put the inmate down quickly. Attacks against officers rarely occur in solitude, and other inmates are watching. The officer's performance will influence whether other inmates will try to take him on in the future. An officer may also become the victim of a multiple attack, in which the only hope of surviving is to put down the nearest inmate quickly, giving others reason to reconsider.

Unarmed combat for correctional officers must include empty-hand techniques to disable or kill. This is because an officer facing an inmate armed with a club or shiv is justified in severely injuring or killing the inmate to save his or another officer's life. He also may be totally unarmed, without even a baton or aerosol can to defend himself. The instructor must show techniques for breaking joints by forcing them against their flexion, and how to cause brain concussion by slamming an inmate's head against a wall, floor, or other hard object. It's also important to learn how to kick at vulnerable points, such as the throat, head, testicles, and kidneys, to ensure that an inmate remains down. The emphasis must be on simple techniques that average cadets can master without a lot of practice, because few are martial arts experts.

Cadets should become proficient in both individual techniques and in team tactics, because the objective will be to operate in teams for mutual support and safety. When it becomes necessary to move a resisting inmate, cell extraction requires a team for officer safety.

As with firearms training, officers should receive periodic refresher courses in unarmed combat, and should go through a qualification course every three months. If firearms are important enough to rate qualification requirements, it's even more important to require officers to demonstrate proficiency in techniques they're going to use more frequently.

Use of the Baton

The baton is an essential control tool, because it's possible to apply it selectively and in degrees, like empty-hand control tactics. The baton is likely to be the

"ultimate weapon" for the officer locked in with inmates, because firearms are restricted to officers out of inmates' reach.

As an ultimate weapon, the baton can kill, and instructors must cover this. There have been enough instances of deadly attacks on officers to justify instruction in applying the baton as a deadly weapon. An inmate attacking with a shiv or club is using deadly force, and the defending officer must be prepared to strike at the head or neck to stop the attack, if he fails to knock the weapon from the inmate's hand. If the inmate still retains his weapon, the officer is fully justified in continuing his strikes until the inmate is prone and no longer conscious. In defending another officer against a deadly attack, it's justifiable to use the baton to crush the inmate's windpipe while driving the knee into his spine to cause further damage.

Initial training isn't enough. There should be periodic refresher courses, and quarterly qualification in baton techniques.

Chemical Agents for Control

Chemical agents are less useful than empty-hand tactics and batons for controlling inmates, mainly because it's an all-or-nothing proposition. It's possible to use pressure point control tactics, and to use come-alongs, with or without batons, but it's not practical to deliver just a touch of Cap-Stun. Still, when there's justification for use of chemical agents, it's worth going all the way until the inmate is down on the floor. An aerosol can permit a single officer to stop an attack by several inmates.

Cadets should learn the use of personal chemical agents, such as aerosol cans, and learn to operate mass delivery systems, such as foggers, built-in systems, and gas guns. Periodic refresher training is also helpful here.

Firearms Proficiency

This is basic training for correctional officers, who must be skilled in the use of the handgun, shotgun, and carbine. The few who draw tower duty should also qualify in the use of the sniper rifle, if these are in use within the system.

Officers assigned to escort duty will need to be proficient with handguns. When escorting an offender to court, or to another facility, a handgun is often the only practical weapon. Carbines and shotguns are practical to carry on a prison bus.

Officers drawing tower duty must be proficient with the sniper's rifle. It may be desirable to limit tower duty to high-scoring officers.

If full-auto weapons are part of the arsenal, all cadets should receive some familiarization with them. It may be practical to provide comprehensive training to only a few officers, because full-auto weapons are rarely needed.

An important point many firearms instructors neglect is to concentrate on moving targets. In these applications, it will be necessary to use gunfire to stop attacking or escaping inmates, and officers accustomed to firing at static targets will be poorly prepared.[32]

As with unarmed combat and baton techniques, there should be quarterly qualification for all officers. It may not be practical to qualify every officer with every firearm every quarter, but all should qualify with the firearm they use on duty. Officers assigned to unarmed inside duty should qualify with the carbine or shotgun.

Riot Control

Riots are uncommon, but as we've seen, they come in waves. When one takes place, even several states away, the contagion spreads. We've also seen that quick and decisive action early in the disturbance often quells it with less force than would be necessary if it picked up momentum.

This is why riot control training is essential for cadets. The purpose is to give them both theoretical knowledge and hands-on training, to enable them to take quick action at the lowest possible decision-making level.

Public Relations

This is important for every officer, because all make public contacts, on and off duty. Although the prison PR officer is in charge of press releases and media relations, line officers carry the brunt of the work-load because visitors and tourists are members of the public, and line officers have many opportunities to influence people directly, in ways that count.

The Instructor Cadre

Obviously, all instructors must be experienced officers. More than that, they should be among the top rank in ability, and should be able to impart their know-

ledge to classes of cadets. The ability to relate to cadets is not the same as the ability to control inmates, because it requires less coercion and more persuasion. The reason is that the officer/instructor is dealing with a different class of people.

There should be no professional instructors within the detention or correction system. All instructors should be experienced and working officers. They may be temporarily assigned to the academy for an entire cadet class, or they may teach a class or two after their regular shifts. This is important, to ensure that all instructors are currently experienced, and not teaching outdated knowledge because they've been out of touch with the "real world" for too long.

Occasionally, it's worth bringing in an outside expert for his specialized knowledge. These are cost-effective because they teach instructor courses, and certify their pupils as instructors. Henceforth, course graduates can teach the techniques within the system, saving money spent for outside instruction.

One guest instructor who specializes in various types of defensive tactics is John Peters. He teaches use of various types of batons, including the Kubotan and Kubotai, restraints, and a course in "Tactical Handcuffing."

Defensive Tactics Institute, Inc.
P.O. Box 14872
Albuquerque, NM 87111
Phone: (800) 423-0668

Another specialist instructor is Tim Powers, of the Fitness Institute. Powers teaches a variety of courses, including instructor certification in use of the A.S.P. Baton and an instructor course in Cap-Stun. Each institution should have at least one resident instructor.

Fitness Institute
Rte 4, Box 278A
New London, WI 54961
Phone: (414) 982-7554

Books and Reference Materials

Some of these books and materials are especially worthwhile as teaching tools. Others are more valuable for developing qualified instructors.

General Corrections:

Corrections in America, Fifth Edition, Harry E. Allen and Clifford E. Simonsen, NY, MacMillan, 1989. This presents an overview for the cadet and corrections instructor. The authors deal with history, and examine current penal concepts and

practices. This is a well-referenced source of current knowledge, and is one of the best books in the field.

Interpersonal Communications:

Verbal Judo, George J. Thompson, Springfield, IL, Charles C. Thomas, Publisher, 1983. This is a volume for the instructor who wants a comprehensive theoretical framework as a basis for teaching how to handle inmates. The author goes deeply into the reasons why, more than the cadet needs.

Effective Handling of Manipulative Persons, John D. Lentz, Springfield, IL, Charles C. Thomas, Publisher, 1989. This is a good hands-on, how-to book, very valuable as assigned reading for officer cadets. The author is Chief Chaplain at the Kentucky Correctional Institute for Women, and a member of the American Correctional Association. This book is oriented towards a prison setting, concentrating on the games inmates play with officers in various contexts.

Games Criminals Play, Bud Allen and Diana Bosta, Susanville, CA, Rae John Publishers, 1981. This is the best book on the games inmate play with officers. Both authors have worked in corrections, and have listed the specific games, with dialogues, that inmates try to play upon their keepers. This volume provides lists of situations, employee personality traits, and types of set-ups that can lead to manipulation by inmates.

From the Prisoner's Viewpoint:

The Escape Factory, Lloyd R. Shoemaker, NY, St. Martin's Press, 1990. This gives a good perspective of the POW, and the efforts made on his behalf by his government.

Prisoners of War, A.J. Barker, NY, Universe Books, 1975. This book provides a good overview of prisoners of war, and what it's like to be a military captive. A particular strong point is the view of POW life.

Nuts and Bolts:

Improvised Weapons in American Prisons, Jack Luger, Port Townsend, WA, Loompanics Unlimited, 1985. This well-illustrated volume presents an array of weapons found in jails and prisons, and describes how inmates obtain them. This is valuable for anyone concerned with prison security.

Escape From Controlled Custody, Tony Lesce, Port Townsend, WA, Loompanics Unlimited, 1990. This book deals mainly with escapes, and other

threats to prison security, describing how inmates arrange their escapes, and how prison officials try to frustrate them.

Videotapes:

Inmate Body Searches, Parts I and II. This two-part set covers searching both clothed and nude inmates, for both weapons and other contraband. The tapes go into the reasons and techniques of searches in great detail. The emphasis is on remaining objective, because the search is a technique for preventing problems, not punishment.

The pat-down and other techniques are acted out in the scenarios presented. The tapes advise conducting the search systematically, working from the prisoner's rear, starting at the top and working downward. Some inmates conceal material in their hair, and it's necessary to cover this area thoroughly.

The tape advises thoroughness, and pays attention to social and emotional factors. A very important point that the tape emphasizes with a freeze frame is to search the groin area. Con-wise inmates know that this is uncomfortable for some officers, and some may make comments regarding the officer's masculinity, in an attempt to psych him out. Still, the groin search is essential, because this is a favorite spot for concealing material.

Part II deals with naked searches, important when admitting prisoners. This is uncomfortable for many, because of the intimacy of the technique, even before there's any physical contact. The first step is to assure privacy by isolating the subject in a room out of sight of others. The search starts with letting down any long hair, and removing all clothing. To avoid making the situation more tense, it helps to advise the subject that this is a standard procedure for all inmates.

A flashlight is useful for searching the mouth, nose, and ears. Feeling through the hair is essential. Checking between the fingers, under the arms, and examining the inside elbows for needle tracks are essential. Checking out the genitals and the creases alongside them is part of the search. So is having the subject face away, bend over, and spread his buttocks. The feet and toes are also important.

Only medical personnel should conduct body cavity searches, according to the tape. In practice, we know that this often is not the case. The tape also advises that the officer does not touch the subject during the search. This advice is valuable, especially today when there's a serious prospect of exposure to AIDS when searching certain subjects. The tape shows both male and female searches, with officers of the same sex searching each subject.

The tapes are professionally produced, with a discussion leader's guide packed with each tape. Part I is 16 minutes long, with a 14-page guide. Part II is 13

minutes long, and the guide is also 14 pages. The booklets are not rehashes of the tapes, but present fresh material for the instructor to use in bringing out more important points in the discussion following the screening of the tapes. Available from:

AIMS Media
6901 Woodley Ave
Van Nuys, CA 91406-4878
Phone: (800) 367-2467

Prison Violence:

The Hate Factory, W.G. Strong, Agoura, CA, Paisano Publications, 1982. This book deals with the uprising at the New Mexico State Penitentiary in 1981, covering the background, the events, and the aftermath. Much of it is from the inmates' viewpoint.

Last Rampage, James W. Clarke, NY, Berkley Books, 1990. This book describes the escape of the Tison Gang and its aftermath. This is an excellent account of what can go wrong in custody, and how mismanagement can create security breaches for escape-prone inmates to exploit. It describes some of the manipulative techniques used by Gary Tison to arrange his escape, and how he took advantage of other peoples' weaknesses.

Prison Violence in America, Edited by Michael Braswell, Steven Dillingham, and Reid Montgomery, Jr., Cincinnati, OH, Anderson Publishing Co., 1985. This is an academic study of prison violence, covering several important riots during recent years.

States of Siege, Bert Useem and Peter Kimball, NY, Oxford University Press, 1989. This book is very much like the previous one, but covers the ground somewhat differently.

Inmate Mentality and Academic Outlooks:

The Joint, Inez Cardozo-Freeman, Ph.D., Springfield, IL, Charles C. Thomas, Publisher, 1984. This book describes prison life from the inmates' viewpoint, and in their language. It shows how persuasive prison inmates can be in convincing some people that they are sinned against, instead of sinners.

Magazines

There are many publications relating to law and order, because this is a trendy topic, especially when discussing firearms. There are many gun magazines pur-

porting to be directed towards police officers, with garish covers to encourage impulse buying from news-stands. Most are trash. The following list consists of those publications which, in the author's opinion, meet the needs of the professional. These publications generally are among the most objective in the field, and do not grind an axe in their editorial content. None are newsstand publications.

American Jails
Pub. by:
American Jail Association
1000 Day Rd. #100
Hagerstown, MD 21740

American Journal of Corrections
4321 Hartwick Rd
College Park, MD 20740

Corrections Today
Pub. by:
American Correctional Association
8025 Laurel Lakes Ct
Laurel, MD 20707

Law and Order
1000 Skokie Blvd
Wilmette, IL 60091

Police & Security News
1690 Quarry Rd
Kulpsville, PA 19443

Police Marksman
P.O. Box 17690
Montgomery, AL 36117

State Peace Officers' Journal
Box 13155
Houston, TX 77019

Sources

1. *Games Criminals Play*, Bud Allen and Diana Bosta, Susanville, CA, Rae John Publishers, 1981, p. 18.
2. *Ibid.*, pp. 54-56.
3. *The Joint*, Inez Cardozo-Freeman, Ph.D., Springfield, IL, Charles C. Thomas, Publisher, 1984, pp. 41-42.
4. *Ibid.*, p. 53.
5. *Games Criminals Play*, p. 20.
6. *Effective Handling of Manipulative Persons*, John D. Lentz, Springfield, IL, Charles C. Thomas, Publisher, 1989, p. 3.
7. *Ibid.*, p. 5.
8. *Games Criminals Play*, pp. 26-28.
9. *Verbal Judo*, George J. Thompson, Springfield, IL, Charles C. Thomas, Publisher, 1983, p. 27.
10. *Effective Handling of Manipulative Persons*, p. 6.
11. *Games Criminals Play*, pp. 29-32.
12. *Police Magazine*, October, 1990, Article by Vicki Hinson-Smith.
13. *Games Criminals Play*, pp. 41-47.
14. *Ibid.*, pp. 204-206.
15. *Effective Handling of Manipulative Persons*, p. 11.
16. *Ibid.*, p. 22.
17. *Ibid.*, p. 27
18. *Surviving in Corrections*, David B. Kalinich and Terry Pitcher, Springfield, IL, Charles C. Thomas, Publisher, 1984, pp. 53-54.
19. *Games Criminals Play*, pp. 51-52.
20. *Effective Handling of Manipulative Persons*, pp. 20-21.
21. *Ibid.*, p. 41.
22. *Games Criminals Play*, p. 121.
23. *Effective Handling of Manipulative Persons*, pp. 37-38.

24. *Surviving in Corrections*, pp. 93-94.
25. *Ibid.*, p. 40.
26. *Verbal Judo*, p. 29.
27. *Ibid.*, p. 60.
28. *Ibid.*, pp. 88-89.
29. *Surviving in Corrections*, p. 37-38.
30. *Games Criminals Play*, pp. 50-51.
31. *Surviving in Corrections*, pp. 92-93.
32. *Hit or Myth*, Louis Awerbuck, Prescott, AZ, Yavapai Firearms Academy, 1990. This book concentrates on the theme of realistic range training, including firing at partial targets, angled targets, and moving targets.

• 13 •

Tools

An array of special devices especially adaptable to institutional use is available to officers. All are special devices or non-lethal weapons and subject restraints. The task of quelling violent inmates is particularly ticklish because of the rule: "No guns inside the walls." Firearms are the least useful of weapons and devices, and we won't discuss them here. In any case, good practice dictates that officers keep firearms confined to towers and caged walkways, totally out of inmates' reach.

There are many suppliers of prison-related equipment. These advertise in several correctional publications, and their products vary in both suitability and quality. This section will discuss a few outstandingly successful designs.

Body Armor

Conventional Kevlar body armor is designed to resist bullets, but edged weapons can penetrate. There are special models designed to resist knives and daggers, and these are the ones preferable for correction officers. However, there are limits to the protection they offer.

Unlike ballistic armor, there is no national standard for armor made to resist edged weapons. According to Richard Davis, President of Second Chance Body Armor, it would be very difficult to set up such a standard, because it would have to resist every sort of hand-held edged weapon, wielded by a variety of test subjects. However, there is a standard devised by the California Correctional System, and some vests are made to this standard.

Kevlar armor is not absolute proof against a stiletto or icepick, because obviously a needle has to penetrate it to sew it during manufacturing. A very strong person, wielding an icepick, could probably penetrate most existing vests. Most Kevlar vests will resist slashes and stabs, except for icepicks driven by very strong

persons. As we've seen, most edged weapons improvised by prisoners are crudely made, and inadequate to penetrate body armor.

The California Department of Corrections has produced a standard for a protective vest. This limited production description covers armored vests capable of defeating severe thrusts from knives, ice picks, and other sharp instruments. The standard requires that there must be extensive front, back and side protection, and that the armor panels be removable from the carrier. The vest slips over the uniform, and is adjustable at the waist with VELCRO fasteners.

The specification requires .040″ thick Type 6AL4V titanium alloy sheet, as well as Kevlar 29 felt fabric, Kevlar woven fabric, and nylon cloth for the outer shell. Threat resistance is to an ice pick, 7″ long, with a .163″ diameter shaft, ground to a point with a 3″ long taper. The ice pick has a specified hardness of Rockwell C-42. Another threat the vest must resist is a 6″ stainless steel boning knife. Both are used in a drop test, with a force of up to 81.1 foot/lbs. Penetration must be less than ¼″ to pass. An important point about this standard is that it offers practically no protection against bullets, only sharp instruments traveling at low speed.

One manufacturer that produces armor to this specification is Point Blank Body Armor.

Figure 13-3

This is the Point Blank S.T.A.R. (Sheriff's Tactical Anti-Riot) vest designed for more extensive protection. This has groin, upper arm, and biceps protectors, and a NOMEX outer shell for protection against fire.

With all that, body armor does not protect many vulnerable areas, such as the face, neck, and abdomen. This is why a correctional officer wearing body armor should not let down his guard. Inmates do exchange information, and if one becomes aware that officers are wearing armor, the "word" soon spreads to the entire prison population. Any inmate seeking to attack an officer with an edged weapon will attack unprotected areas.

Figure 13-4

This Point Blank Prison Riot Vest weighs 18 lbs., and provides Level IIA ballistic protection as well as protection against edged weapons. This means it will stop a 9mm Full Metal Jacket bullet at velocities up to 1090 feet per second, for example. A foam layer absorbs blows from rocks, hammers, and clubs.

Electronic Surveillance

Closed-circuit TV

A system of closed-circuit TV, with a bank of monitors in a central control room, helps the security effort. It economizes on manpower, enabling surveillance of many cell blocks and the prison perimeter by one officer. It also saves time, because the watch officer in the central control booth becomes aware of a problem even if officers on the scene are unable to report it.

Figure 13-5

This CCTV screen allows remote surveillance.

Electronic Sensors

There are many types of electronic sensors, each with its special application in the security plan. Seismic sensors, for example, are for the strip between two walls or fences, where normally no man or animal walks. Any signal denotes unauthorized entry, and the officer in the central control booth can surveil the area with a TV camera, or dispatch officers for an on-the-spot check.

Capacitance alarms are for the tops of walls or fences. If a hand or arm touches the sensor, it sets off a signal, alerting the officer in central control.

Infra-red sensors are for indoor use, to protect denied areas from intrusion. They don't work as well outdoors, because of weather and animals.

Metal Detectors

These are essential for speeding up frisking of inmates passing through choke points. In prison, metal detectors have a somewhat different application than when used at airports and courtroom entrances. Normally, sensitivity should be high enough to detect 16 ounces of steel, about the mass of a small revolver, but not set high enough that a key ring sets it off. In prisons, sensitivity should be set to detect even a razor blade. Inmates will use slivers of metal to produce edged weapons.

Figure 13-6

This Garrett Super Scanner metal detector will pick up a metal object as small as a hairpin with the sensitivity setting at its highest. This ability is important, because inmates sometimes set slivers of razor blades into wood or plastic holders to make slashing weapons. Available from: Garrett Security Systems, Inc.

Some strategic points at which to use metal detection gates are the exits to mess halls and workshops, to prevent carrying out of eating implements and hand tools. A number of hand-held devices should be available to officers, to help them set up control points as needed, where there are no permanent metal detection gates.

Doors to mess halls, metal working shops, and visiting rooms are a special problem because of the availability of weapons and other metal objects allowing improvisations. All visitors, for example, should have to pass through a metal detector gate as they enter the prison. Likewise, all inmates leaving the mess hall or any metal working shop should have to pass through a gate to ensure that they're not removing any metal objects.

Figure 13-7

This Sirchie SMD2000SHD metal detection gate is designed for use at security checkpoints. Gate opening is 26" wide by 81½" high. A dual mode selector allows quick adjustment of sensitivity, allowing detection of small metal objects, or only handgun-size objects. Available from the Sirchie Group.

An important point is that a metal detector, no matter how sensitive, will not detect non-metallic implements. A shiv improvised from a sharpened toothbrush handle, for example, is totally non-metallic, and detection requires a manual frisk.

Finding drugs requires a different type of search. There are drug-trained dogs, and these work very well. However, con-wise inmates know that a dog's sense of smell is vulnerable to various counter-measures, and he'll sprinkle pepper around his cell and his stash to confuse the dog. Dogs also get tired, and searching a prison cell block with one dog will result in declining efficiency at the end of the search.

Microwave Dielectric Detector

There are several sophisticated high-tech tools to detect drugs, explosives, and other contraband. Neutron activation devices use radioactivity, and are very expensive. There are also large and cumbersome "sniffers" that are used at airports. For prison use, a dielectric tester is more practical, because it's portable. It still costs several thousand dollars, but is less expensive than many other devices.

The microwave dielectric detector emits low-level microwave energy, and compares the return with the originating signal. A difference indicates a contrasting substance. In practice, a dielectric detector will pick up a plastic or wooden shiv in a mattress.

The M600P unit weighs 4 lbs., uses a 9 volt battery, and has an optional 110 volt adapter. Output is less than 1 microwatt per square centimeter. It's available from Hiatt-Thompson.

Non-Lethal Weapons

These are important within the walls, where at all costs inmates must be denied access to lethal weapons they might turn upon their captors.

Tear Gas

Tear gas, either CN or CS, is the traditional non-lethal method of subject control. A gas grenade or aerosol spray will subdue many violent subjects. A barrage of gas grenades thrown into a prison yard will quell a riot quickly.

The occasional objection to tear gas doesn't apply to prison environments. There are no small children or innocent bystanders in prison. While there may be an

occasional inmate with asthma or other respiratory disorder, these are unlikely to assault officers.

Cap-Stun

Cap-Stun, which is an alcohol-based pepper extract, is a superior way of taking down a violent subject chemically. Cap-Stun causes difficulty in breathing, and the subject experiences a choking sensation. The eyes close involuntarily, blinding the subject temporarily, and the subject becomes uncoordinated, weak, and submissive. Effects last from 15 to 45 minutes, depending upon the amount used, individual characteristics, and whether or not the subject can wash off the chemical with cold water.

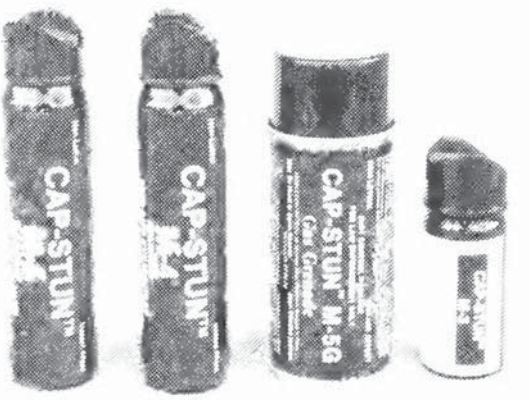

Figure 13-8

Cap-Stun comes in a variety of sizes, and at least two concentrations. Cap Stun is normally a 1% solution of pepper extract, but Cap-Stun II is a 5% solution. Aerosol cans spray a cone of Cap-Stun fog about ten feet, maximum, and come in standard belt scabbard sizes down to shirt pocket 1 oz. sizes. A "grenade" with a latching valve, is designed for throwing into a crowd. Once the valve latches open, the entire contents release within about 30 seconds.

A spray of Cap-Stun is probably the best way to make a combative subject tractable. This is important in cell extraction and other instances requiring prisoner transport. In use, it's important to direct the spray directly into the face. Effects are immediate. The subject gasps, brings his hands up to his face, and doubles over. He may collapse completely.

An important caution is to avoid using Cap-Stun near sparks or open flame, because of the alcohol in the formulation. There has been one instance in New York City of Cap-Stun igniting and burning a teen-age subject, when an officer used an electronic "Taser" subject control device in conjunction with it.[1]

This incident did not occur in a prison setting. On August 9, 1990, police responded to a call from the mother of an emotionally disturbed 14-year-old boy. When the boy lunged at the officers with a two knives and a hammer, they sprayed him with Cap-Stun. This failed to subdue him, and officers then used the electronic device, starting a fire that burned the boy's head and back.[2]

Figure 13-9

The "Crowd Control" version of Cap-Stun releases the aerosol in a thick cone of fog, much like a bug fogger. This is extremely valuable for heavy-duty application on a resistant subject. It's also suitable for spraying down-wind, into a crowd, to quell disturbances.

The aftermath of this incident was even stranger. Cap-Stun's manufacturer sent a letter to his customers, stating that the incident was staged in collusion with his company's competitor, DEF-TEC, to discredit Cap-Stun and promote Pepper Mace, a competing product. A complicating factor is that some Cap-Stun cans are marked with a warning regarding flammability, while others are not.[3] Cap-Stun is available from Luckey Police Products.

Stun Gun

An electronic stun gun is another non-lethal way to control an inmate. A five-second application is usually enough to cause total collapse. The actual effects are

pain and shock, somewhat like the reaction to a kick in the groin. There is no actual interruption of nerve pathways, and little or no danger of causing a heart attack.

A high-voltage stun gun is best, for one important reason. The more voltage, the more the stun gun can penetrate clothing and fabrics. This can be important when it's necessary to subdue a struggling and kicking subject in a strait-jacket. A high-voltage stun gun will send its pulses through the heavy fabric to incapacitate the subject.

Stun guns aren't cure-alls, because they are not always effective. A few people can resist the effects of the high-voltage current, and remain combative. A serious danger, as we've seen, is using a stun gun near flammable liquids and vapors, because of the danger from sparks. This is why it's important to use great caution when using a stun gun in conjunction with an aerosol spray, or in an area where there are flammable liquids.

Another problem is kick-back. A few officers have reported that the current sometimes returns to flow through the officer's body. This is especially true if the subject or officer is wet, as water is an excellent conductor of electricity.

I have no recommendation regarding brand of stun gun. There are several adequate models available.

A.S.P. Batons

Figure 13-10

This "RISC" Baton is a modern plastic version of the traditional 26" straight baton. This solid baton is 1.25" in diameter, weighs 18 oz., and comes with a plain or foam grip. A quick-draw belt carrier snaps on or off.

Chemical sprays, even the very successful Cap-Stun, don't always work, as we've seen above. Stun guns also have occasional failures. When a violent inmate threatens the safety of officers and other inmates, and it's impossible to control him with an aerosol or stun gun, it's a "baton day."

There are today many types of batons, ranging from small sticks to larger batons, collapsible batons, and side-handle batons. Side-handle batons are gimmicky, and superficially attractive, but take a lot of training to learn to use proficiently. Straight batons are easier to use, and advanced tactics are always available for those who are interested enough to put in the time and effort.

Collapsible batons are especially useful in a correctional setting. These fit easily into small belt holders or pockets, making it easy for an officer always to have one handy in case of need. The best brand of collapsible batons is A.S.P., and these have gained acceptance among many state, local, and federal police agencies.

Figure 13-11

This baton, Model F21, has a foam grip, is 6" collapsed, and extends to 21" with a flick of the wrist.

The collapsible baton is particularly important because of the confined spaces within the walls. A.S.P. batons come in various sizes, ranging from small pocket-

size units to larger "riot control" batons that are too long to fit in most pockets, even collapsed.

Batons are suitable for swinging blows against the arms, legs, and joints. A baton also provides the extra reach needed for defense against an inmate using an edged weapon. When confronting an armed inmate, the baton allows more severe measures, such as strikes against the wrists, elbows, and knees, or even the neck and head if nothing else works. A blow to the head can easily result in a fracture, as will a neck strike. As a last resort, an officer can use the baton in a grip against the throat, crushing the windpipe.

Figure 13-12

This Model 926 is 9" collapsed, and 26" long deployed, allowing a lot of reach and momentum in use.

A larger baton sometimes becomes necessary, especially during a disorder. A baton of the A.S.P. type is somewhat more versatile than others because of the knob at the end, which is useful for spot impacts, while the officer can strike with the shaft of the baton for broader impact areas. The difference in effect is that a spot impact focuses the blow on a small area less than an inch square, and can easily break bone. Using the side of the baton spreads the force over a wider area,

for a more diffuse effect less likely to leave marks. A.S.P. batons are available from A.S.P. Inc.

The Kubotai

This is a martial arts control device, simple in concept and appearance, but which still requires a minimal level of skill to use. It bridges the gap between a baton and other types of restraints.

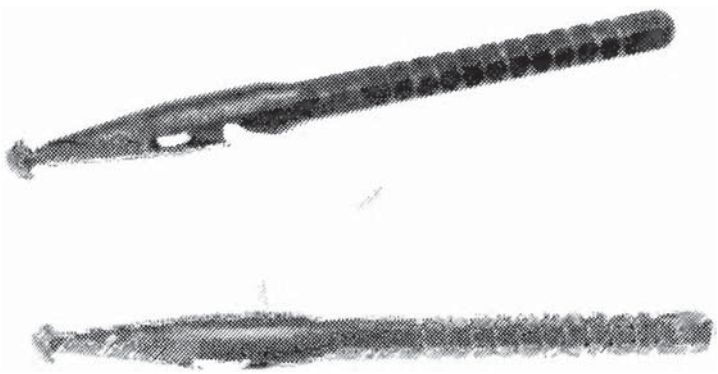

Figure 13-13

The Kubotai

The basic technique is to loop the cord around the subject's wrist or arm, catching the loop in the narrow neck behind the knob of the other stick. This allows applying great leverage to compress or twist the arm. The Kubotai is also useful for strikes, despite its light weight. It's available from Reliapon Police Products.

Subject Restraints

There are various types of handcuffs, restraining belts, straps, etc., available.

Ripp Products and Personal Protection International both make light-weight subject restraint belts. These are designed for restraint in place and for transport.

The Pro-Straint Seat is a molded plastic seat that has recesses for the prisoner's arms when his hands are cuffed behind his back. Straps hold him to the seat, while an extra set of straps restrain his legs. This is valuable for the inmate who kicks. Cross straps allow cinching the prisoner tightly against the seat back. One version of the seat is free-standing, while another is designed for installation in a van. These are available from Aedec International.

Handcuffs

Figure 13-14

These Hiatt Hinged handcuffs use a triple hinge instead of a chain to connect the two "bracelets." Hinges allow much less free movement of the hands, minimizing the chances of the prisoner's picking the lock or otherwise freeing himself. It's also not possible to wrap the chain around a fixed point to lever it open. Cuffs double-lock, and are self-loading, for speed and convenience. It's not necessary to run the shackle through almost all the way, counting the clicks. To load, it's only necessary to run the shackle completely through, then pull back sharply to engage the last two teeth.

There are several types of extra strength handcuffs available. Probably the best and most reliable are those made by Hiatt, an English firm now exporting to the United States.

For extremely heavy-duty use, the Hiatt C-Range cuffs are specially designed for correctional transport use. (*Police & Security News*, September-October, 1990, article by John Peters.) A steel shaft between the cheek plates prevents inserting anything between them to pry the cheek plates apart. Heavy-duty rivets resist punching, and the handcuff is also available in hinged style. These are available from Hiatt-Thompson, Inc.

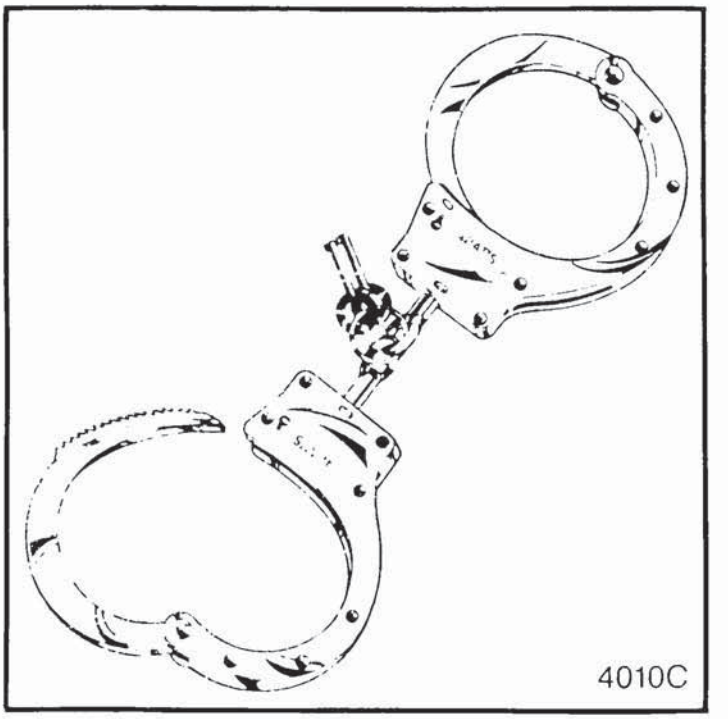

Figure 13-15

Hiatt Model 4010C closed-edged handcuffs.

Improvised Handcuffs

The TAC-LINE dispenser is a small, lightweight pouch that holds a bobbin of "550" para-cord and a cutting knife to allow the user to pull out the length of cord he needs and to cut it with one hand.

The cutting blade is recessed for safety, and this also prevents its use as a weapon without crushing the plastic container. The para-cord feeds from a slot in the case, and the Cordura Nylon pouch's lid closes with VELCRO. A nylon web belt loop or ALICE clips attach it to the belt or load-bearing vest.

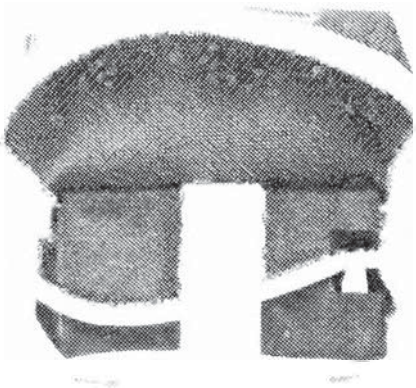

Figure 13-16

TAC-LINE Dispenser.

Figure 13-17

TAC-LINE Dispenser and Tac-Cuff.

The main use of TAC-LINE is as improvised subject restraints. The officer can pull out the appropriate length, depending on whether he wants to secure the subject's hands, hands and ankles, or secure more than one subject to a line. Making the basic hand tie, called the TAC-CUFF, is done as follows:

Pull out five feet and cut. Double up about five inches at one end and make a simple knot to form a loop. Double up the cord, and hold it by the middle, with the ends dangling. This forms a loop over your two fingers. Bend this loop down over the two ends dangling down, to form a double loop which you pull through enough to allow putting the free ends through. Now tighten this loop so that you have two loops protruding from the other side. These are your cuffs, and they fit over the subject's wrists or ankles. Pulling on the free ends tightens the cuffs. You can wrap the free ends around the knot, or the subject's wrists, and tie them using the small loop at one end. The TAC-LINE dispenser is available from TAC-LINE, Inc.

Addresses of Suppliers of Equipment

Non-Lethal Weapons

A.S.P. Batons from:
A.S.P. Inc.
P.O. Box 1794
Appleton, WI 54913

Kubotai from:
Reliapon Police Products, Inc.
P.O. Box 14872
Albuquerque, NM 87111
Phone: (800) 423-0668

Subject Restraining Devices

Aedec International, Inc.
11040 SW Allen Blvd
Beaverton, OR 97005
Phone: (503) 644-8988

Hiatt-Thompson
P.O. Box 306
River Forest, IL 60305
Phone: (800) 367-6821

Personal Protection International, Inc.
405 Seward Sq, SE
Washington, DC 20003
Phone: (202) 544-3695

TAC-LINE Inc.
P.O. Box 441
Madison, OH 44057-0441
Phone: (216) 428-4874
Attn: Richard A Fike

Ripp Products, Inc.
1060 Industrial Drive, #F
Orange City, FL 32774
Phone: (904) 775-2812

Aerosol Subject Restraints

Luckey Police Products
P.O. Box 23339
Oak Land Park, FL 33307
Phone: (305) 564-3321

Guardian Security Products
8350 North 7th St
Phoenix, AZ 85020
Phone: (602) 371-1023

Body Armor

Point Blank Body Armor
185 Dixon Ave
Amityville, NY 11701
Phone: (800) 645-4443
Attn: Tony Borgese

Second Chance Body Armor
P.O. Box 578
Central Lake, MI 49622-9989
Phone: (800) 253-7090
Attn: Richard Davis

Metal Detectors

Garrett Security Systems
2814 National Drive
Garland, TX 75041-2397
Phone: (800) 234-6151

Sirchie Group, Inc.
P.O. Box 30576
Raleigh, NC
Phone: (800) 356-7311
Attn: Tom Curtis

Sources

1. *Law and Order,* October, 1990, p. 4.
2. *Law Enforcement News,* September 30, 1990, article by Jacob R. Clark.
3. *Law Enforcement News,* op. cit. The mishap with flammable oleoresin capsicum spray has led to the introduction of other O.C. products without flammable components. One such is "Bodyguard," a 5% solution made for law enforcement and correctional use by Guardian Security Products.

• 14 •

The Future

Practically everyone agrees that our prison system is in a crisis, but there's widespread disagreement regarding how to solve the problem. One reason is that there are many problems, not only the one of prison crowding, but also prison costs, failure of deterrence, etc. The only thing that's certain is that prisons cannot continue on the same path, because right now, they don't appear to be either cost-effective, or effective at all.

We've already scrutinized several aspects of treatment which appear promising in the handling of offenders. There have been many suggestions, as well as practical techniques, but the main obstacle appears to be the passage of enabling legislation, not hardware or know-how. Unfortunately, most legislators are interested only in feathering their own nests by satisfying the wealthy people who make large campaign contributions, not improving society as a whole. After all, society is not their problem, and their main worry is getting re-elected. As cynics have pointed out, we have the best legislators money can buy.

This is why prison administrators and employees must take the lead in educating the public regarding useful steps in improving our criminal justice system. As outlined previously, prison-oriented leaders can sweep away some of the misconceptions spread by bleeding hearts, and re-orient the public to a new system of priorities, which places the interests of crime victims, potential victims, and taxpayers first. With increasing public awareness, there might come about a movement for penal reform, a real and serious reform that solves problems instead of postponing them.

There are several important goals to pursue:

1. Reduce the prison population. This will control costs and make prisons more manageable.

2. Adopt realistic options to "divert" some offenders from prison, if letting them free doesn't endanger society.
3. Divorce prisons from politics. This is, perhaps, the hardest thing to do. In many cases, severity of a sentence results from wanting to make a political statement, not punish the criminal or protect society. Let's get into this problem first, because if we can't solve it, it will get in the way of real solutions to other prison-related problems.

Politics

Politics directly affects sentencing practice. If there's public indignation over illegal drugs, for example, legislators pass laws to "toughen" the reaction to illegal drug use. Possession of even a small amount for personal use becomes a felony, instead of a misdemeanor, with mandatory prison terms. We also see this in the reaction to drunk driving. Whereas before, there was leniency in the handling of drunk drivers, today the police and courts have less latitude. Steps such as mandatory prison terms, mandatory revocation of driver's license, and confiscation of the vehicle are all recent innovations in response to pressure to "crack down" on drunk drivers. We see roadblocks and screening of drivers who have not had any alcohol to drink and who have not been involved in an accident. Sentencing drunk drivers to serve time aggravates an already serious problem.

The recent "Do Drugs, Do Time" program is perhaps the ultimate in unreality. Typically, a person arrested for possession of a minimal amount of illegal drugs spends the night in jail, and in the morning the judge sentences him to an adult "diversion" program. This turns the "deterrent" effect of the threat of jail into a joke.

Likewise with other emotionally loaded offenses. A non-violent child molester, even if his crime is statutory rape, will typically pull a heavier sentence than a mugger.

Another political point is to abandon the idea that it's preferable to let 100 guilty men go free than wrongly imprison an innocent one. This is merely an ideal, not a practical plan for action. While most of us want a criminal justice system that is truly just, the practical consequences of excessive safeguards and excessive leniency are that career criminals go free to victimize more innocent people. There's no perfect solution to this dilemma.

It's truly deplorable to punish an innocent person. If, while trying to avoid this, we set free many guilty ones, these will be free to victimize many more people, each as innocent as the person wrongly punished. As we've seen, letting 100 career

criminals go free will create many more than 100 additional innocent victims. One authority considers this problem serious.[1]

Another political problem is the Eighth Amendment to the U.S. Constitution, which states: "That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted." The major problem with this provision is that the Constitution does not define "excessive" and "cruel and unusual." The concept of "excessive" can change over time, and what one legislature considers "cruel and unusual" may appear very normal to another.

The ban on "cruel and unusual" punishment also essentially bans making the punishment fit the crime. It would be unthinkable for Americans, both today and in the foreseeable future, to execute a murderer who had burned his victim to death in the same manner. It's hard enough to move such a person from the court-room to the execution chamber, and any legislator who proposed executing this condemned person by dousing him with burning gasoline would be looking for a new job. That's not the real problem, however.

Even without exactly matching the punishment to the crime, there's room for clearing the air on punishment and mandating more effective methods. Setting up a more realistic criminal trial system requires a systems analysis approach, studying the way we bring suspects to trial, with a view to balancing the false positives and false negatives. As it exists today, many experienced lawbreakers are "beating the system," while first-time offenders are excessively punished because they're not "street-smart," and don't know the levers to push to obtain leniency.

Yet another political problem is raising the consciousness of voters and legislators so that they realize that persons convicted of serious felonies are, actually and truly, second-class citizens. There are laws restricting the civil rights, such as the right to vote, of prison inmates. Restriction and abolition of civil rights should, however, be uniform, so that there is universal recognition that people convicted of felonies do not have the rights enjoyed by other citizens. This will make it easier to administer prisons, because it will eliminate the threat of lawsuits over the "rights" of inmates. We'll discuss this important point later in this chapter.

In one sense, politics can be useful, if it helps to match the punishment to the crime. An example would be legislation authorizing the state to use murderers as subjects for risky medical experiments.[2]

Controlling Costs

During the last few years, protests over ever-increasing taxes have increased. While "law and order" has always been a popular complex of programs for

funding, some thoughtful people are taking a new look at various aspects of law enforcement, seeking to cut costs by eliminating frills and streamlining the operations.

During the early 19th century, it was fundamental that prisons had to be self-supporting, and prison industries operated at a profit. The first half of the 20th century saw legislation that stopped this, because of competition with private industry, and from that point prisons became increasingly expensive to operate.

Diverting first and youthful offenders is a traditional way to reduce prison crowding, and it's especially worthwhile because all experts agree that putting situational and youthful offenders with hardened careerists is damaging. There are some new techniques that appear promising.

"Privatization" of Prisons

An idea that has cropped up during the last decade is "privatization" of prisons. A few states, such as Florida, New Mexico, Kentucky, Texas, California, and some others have experimented with it. The purpose has been to save money, but the results have been inconclusive.[3]

The main selling point of privately-operated prisons is, and will continue to be, cost. The theory is that a privately-run prison is free of the bureaucratic constraints that impair efficiency in hiring personnel and purchasing equipment and supplies. With less paperwork to push, private management can accomplish both tasks more quickly and efficiently than a state agency.

To date, states with privately-operated prisons have sent them only "good" inmates, keeping the violent and escape-prone trouble-makers within state-run institutions. Even within the ranks of advocates of privatization, there appears to be a feeling that private prisons won't be able to handle hard-core cases. At least, there's a reluctance to try. For the moment, there's no shortage of minimum-security cases, because of various mandatory sentencing laws. Today, individuals who otherwise would have received probation are being incarcerated. These don't pose serious security or custodial problems, because confining family men convicted of drunk driving charges has never been an arduous problem.

The field of privatization will expand when the Corrections Corporation of America opens the first privately-operated maximum-security prison in 1992, in Kansas. Its future, however, is uncertain, because of problems with incarceration for profit. Another point is that even the most greedy and acquisitive businessman might shrink from operating an execution chamber for profit. Capital punishment is likely to remain a monopoly of the state into the indefinite future. The bottom line is that privatization is not the answer to reducing costs. More extensive and imaginative means are necessary.

Probation

One of the best programs to avoid sending an offender to prison is probation, provided that there's careful screening of candidates. Probation is conditional freedom, usually for the period of the prison sentence that would have otherwise been appropriate. Probation is very formal, and operates according to a clearly-defined set of conditions laid out in an agreement the probationer signs. A typical probation agreement covers the following points:

The probationer agrees to report regularly to his probation officer, answer his questions truthfully, and allow him to visit at any time, at home or elsewhere. He also agrees to report any change of address or employment, and not to leave the district without prior permission from the court or P.O. Another condition is not to commit other crimes, and to report immediately to his probation officer any arrest or questioning by a police officer. He also agrees to work and support any dependents. The probationer may not possess illegal drugs or a firearm, and may not act as an informer or special agent of any law enforcement agency without permission of the court. Other restrictions are to refrain from excessive alcohol use, refrain from association with convicted felons or anyone engaged in criminal activity, and avoid going to any place or premises where illegal drugs are sold.

Violating any of these conditions can result in revocation of probation, and the court may then impose a prison sentence. This is also true of parole, and the threat of time behind the walls is often effective in keeping parolees and probationers in line.

These advantages are what makes probation much more desirable and practical than many mandatory sentencing programs. Although a "Do Drugs, Do Time" program makes for good demagoguery for a candidate seeking election, it's impractical and excessively harsh for first offenders.

Intensive Probation

This is a system of very close control over released offenders, differing from traditional parole and probation by requiring the subjects to be under much closer control of the probation officer. Intensive probation can include random drug testing, curfews, and other restrictions. The subject must report in as often as once or twice a day, to keep the probation officer apprised of his whereabouts and activities. Intensive probation requires more manpower than traditional probation because each officer has a smaller case-load, but is still more cost-effective than imprisonment because the state doesn't have to support the offender.[4]

Probation and parole have been fairly successful in this country. According to figures from the U.S. Department of Justice, 64.4% of adults under correctional supervision were on probation, as of January 1, 1986. Another 9.6% were on parole, after release from prison. Only 26% were confined.

This is very efficient use of the criminal justice system, because it avoids the expense of incarceration, which can easily exceed $25,000 a year per inmate. Situational and first offenders are good candidates for this sort of treatment, and a collateral benefit is that probation does not expose them to the "crime college" of prison.

Electronic House Arrest

This is a high-tech method of intensive probation. The subject wears an electronic bracelet which transmits a signal to a base station, located within the home. The base station automatically notifies the probation officer if the subject moves out of range, enabling the probation officer to keep much closer track of the subject than by any other means except close confinement.

In 1986, the year electronic monitoring began in this country, there were 95 persons under this form of control. In February, 1989, there were 6,490 subjects under electronic monitoring. Programs were in effect in 37 states, the District of Columbia, and Puerto Rico. A 1990 preliminary count showed that this number had doubled.

There has been a trend towards broader intake criteria in electronic monitoring programs. Originally, the programs began with non-violent offenders with sparse criminal records. The typical offender was a male convicted of driving under the influence of alcohol. More recently, probation officers have accepted drug offenders, burglars, and even a few violent offenders. The 1989 National Institute of Justice study reported that 11.8% of those on electronic monitoring had committed "crimes against the person," and another 2.2% had committed weapon offenses.

Managing such cases follows the same guidelines as other types of parole and probation. It's important to make clear to the subject that he or she has to follow certain behavioral guidelines, and that any violation will result in immediate incarceration.

Electronic monitoring can lead to more economical supervision. It requires far fewer staff to keep tabs on the controlled population. One staffer in a control room can surveil many subjects, alerting a probation officer only in case of a detected deviation. Another attractive aspect of this program is that it's possible to charge the probationer or parolee a fee for the equipment, making the program partly self-sustaining.

The program and its equipment are not perfect, and are still under development. There have been both hardware and software failures, but the new technology is important as a means to reduce the number of people kept behind bars.[5]

A low-tech version of this technique has been in use for some time. This consists of having the subject provide the probation officer with a list of telephone numbers of places he'll be during the day, such as home, work, school, etc., and a schedule of his activities. The probation officer telephones at random intervals, to spot-check the subject's whereabouts.

Legislative Reform

A simple way to reduce immediately the number of people in prison is to decriminalize certain non-violent and victimless crimes. It may take years before people of enough imagination dominate legislatures, but gradually we may expect to see decriminalization of pornography, prostitution, any form of sex between consenting adults, drug possession, gambling, and various types of status offenses.

It's also necessary to exempt certain political offenses from the criminal justice system, to prevent various incapacitating measures, imprisonment, and execution from serving as means of political repression. Without such safeguards, someone might try to use the criminal justice system against his political opponents, in latter-day emulation of Hitler and Stalin.

Another area in which legislation can help is enhancing the deterrent effect of the criminal justice system by making it more credible. It doesn't matter what the prescribed consequences of committing a crime are, if they're not credible. Today, criminals know that they can "beat the system" most of the time. A program of publicizing prisons, televising executions, and permitting public access to certain facilities would restore this credibility.

A simple step is to simplify the criminal code, and to make it uniform throughout the fifty states. Today, a certain crime carries a certain penalty in one state, a more severe one in another, and a more lenient one in a third state. Some acts, such as prostitution or owning a handgun, are illegal in some states and legal in others. Within the same state, similar offenses come in several "degrees," further confusing the picture. The difference between second-degree and third-degree rape, for example, the age of the perpetrator, is more a talking point for lawyers than a real difference.

Another problem is lack of sentencing guidelines, and indeterminate sentences. Although there's been a strong movement during the last couple of decades toward setting definite sentences for various offenses, there's still no national

standard, and often judges have far too much discretion in sentencing. A major problem is "predicting" behavior. A judge tries to rely upon the results of a pre-sentence investigation, and intangible factors such as intuition and imagination to decide upon a particular sentence.[6]

This is absurd. Judges, as well as juries, can be wrong. A simpler, and fairer, way is to have definite sentences for specific offenses, so that anyone contemplating them will know that; "You do the crime, you do the time." This system also allows a cut-off after a specified number of offenses, and special treatment for incorrigibles.

One simplified system that is clear enough for anyone to understand is a 1-2-3 framework. Burglary, for example, would carry a five-year sentence, with two exceptions. A first offender would automatically receive five years' probation instead of confinement. A second offender, even if the previous offense were in another category, would spend five years in prison, less any "good time" earned. A third-time offender would receive an automatic life sentence, or a termination order, as outlined below.

There have already been steps in this direction. The American Law Institute has devised a "Model Penal Code" with three grades of felonies and two grades of misdemeanors, and the sentencing structure is simplified. Judges have limited choices, working within sentencing brackets.[7]

However, the lawyers have already put in their bid to complicate the picture. The American Bar Association devised a counter-proposal that allows judges much wider latitude, and eliminates mandatory sentencing. This allows the absurdity of a person committing a lesser crime, under similar circumstances, receiving a harsher sentence, depending on the whim of the judge.[8]

A rigid sentencing system provides definite penalties, but still leaves the way open for earning time off for good behavior while incarcerated. The only exceptions would be those who have "maxed out," and for whom there would be special maximum security facilities. We'll explore this in depth later in this chapter.

The net result would be a simple and understandable system for controlling criminal behavior. Anyone contemplating a crime would know, without doubt, what he could expect upon conviction. Likewise, anyone convicted of a crime would know that good behavior in prison or on probation would gain him a "discount" from his sentence. Finally, anyone contemplating a criminal career would know that his career would come to a definite end shortly after his third conviction.

Prisoners' Rights

An unfortunate spin-off of the civil rights movement has been the agitation to grant prison inmates the "rights" they lost upon conviction. Some well-meaning people have confused the situations of Blacks, welfare recipients, women's libbers, and mental patients with the status of convicted felons. They're not at all comparable, for a very clear and definite reason: these other groups have committed no crime.

It's not illegal to be Black, or to believe in women's lib. A mental patient may be incapable of caring for himself, but he's broken no law. By contrast, convicted felons are where they are because they've victimized another person.

There's been a trend, since the 1960's, to hold prison officials directly responsible for inmates' welfare to an unrealistic degree.[9] If an inmate commits suicide, for example, it's somehow prison officials' fault for not foreseeing it and stopping him. New laws, limiting the liability of prison officers and administrators, would relieve the pressure under which they now operate.

Enlightened legislators may eventually understand that convicted felons are con-wise, and that they will use any trendy issue as a lever to pry concessions from the government. It may be freedom of worship, as in the case of Black Muslims almost three decades ago. Judges ruling in favor of Black Muslims apparently never thought to ask themselves why, if these people were so devout, so many ended up convicted of felonies.

Some inmates have agitated for the "right" to wear their hair long, have TVs in their cells, and full-scale trials when accused of infractions of prison rules. Others demand ending censorship of mail. Black Muslims have demanded the freedom to worship and to eat special diets. The list is endless.

It may require a constitutional amendment, but a necessary piece of legislation is one prohibiting the exploitation of the legal system by con-wise inmates. A simple way is to abolish inmates' right to initiate any sort of legal action during their terms in prison. This will stop the barrage of frivolous lawsuits that sometimes win because of their very number.

Reduce Appeals

Under present American law, anyone convicted of an offense can appeal endlessly, with the taxpayer footing the bill. The most conspicuous group is the one on death row, whose attorneys manage to spin out the appeals process so that at least ten years, on the average, passes between conviction and execution. A

reasonable estimate is that it costs at least five million dollars to put a convicted murderer to death, and an equal amount to fail to do so, after a series of appeals.

A series of petitions for writ of habeas corpus is a favorite way of delaying execution. The condemned prisoner claims that he was denied his constitutional rights, and asks the court for a hearing. Representative Henry Hyde, of Illinois, during a debate on a new anti-crime bill, stated that allowing more than one petition of habeas corpus would result in "endless, endless, endless delays."[10]

Representative Hyde is not the only one who has noted the swollen appeals procedure. The U.S. Government's Bureau of Justice Statistics has noted that there has been a huge increase in appeals filed between 1973-1974 and 1982-1983.[11] In some states, almost 90% of all convictions result in appeals.[12] Another problem is "collateral attack," simultaneously filing appeals in federal and state systems. With little to occupy their time, convicted felons spend many hours studying the law, and searching for weaknesses they can exploit. As long as convicted felons have "rights," there's not much hope of correcting this abuse of the criminal justice system.

Appropriate legislation can streamline this process, which right now is overbalanced in favor of the criminal who knows how to manipulate the system. Of course, any such step would encounter severe opposition from trial lawyers, whose swollen and lavish incomes depend partly upon generating strings of appeals.

Women in Prison

There are more female inmates today than before, both in absolute numbers and proportionately. Major cities have long operated separate facilities for women. Los Angeles, for example, has had the Sybil Brand Institute for decades. State penal systems, likewise, tend to have totally separate facilities, instead of a female block in an otherwise all-male prison.

Tradition has dictated that female prisons are medium or minimum security, but this is changing. Female prisons sometimes have been designed like hotels or apartments, but some have been strictly along male models. A few now have the full range of security measures, including razor wire.[13]

Female offenders also pose political problems. It's difficult to try a mother. It's even more difficult to impose the death sentence on a female that looks like "the girl next door." This is going to change. Women are involved in more crimes today, especially violent crimes, and the attitude encouraging special treatment for women is dying. An important reason is, ironically, the rise of "women's

liberation," which has resulted in more females among police officers, prosecutors, and judges. A female officer or judge is not likely to be affected by feminine charm.

Sex in Prison

As we've seen, American penal institutions all but deny the existence of sex. Few American prisons have conjugal visits, which are considered normal in some other countries. In this country, California and Mississippi allow it as part of a formal program, while Montana permits it as de facto activity. There are also rules, in most prisons, against masturbation and other forms of sexual expression. This repressive atmosphere closes the door to using sex as a form of control over inmate behavior. Worse, many inmates who are denied normal sex outlets turn to homosexuality.[14]

A more enlightened policy is to use sexual outlets as rewards in a system of behavior modification. Awarding time off for good behavior has its limits, the main one being that the reward is a long time away. A program of sexual outlets can deliver regularly spaced rewards, and a reward only a few days away appears more real than one which comes only at the end of the term.

Constructing a block of rooms along the lines of motel rooms or suites would provide physical facilities for sexually-oriented visits from wives, and other female friends. It would be a serious mistake to require that visitors for sex produce marriage certificates, as this narrow policy would cause more trouble than it's worth.

Rationing sexual visits, and making them contingent on good behavior, would provide powerful positive reinforcement for institutional rules. For those without compliant female visitors, a program of substitute sexual outlets would have to do. A stock of pornographic materials, to aid masturbation, is one possibility.

A collateral benefit could be mandatory sterilization for all who wish to take part in the sexual outlet program. It would be expedient to require vasectomies for all male inmates who apply for conjugal visits, to prevent their impregnating wives and other females while they're confined and unable to contribute to child support. Female inmates participating in conjugal sex programs would also have to undergo surgical sterilization, to avoid prison pregnancies. Benefits from this program would continue even after release, and would help in reducing the dynastic criminal population. It's well known that criminals tend to breed criminals, and any step to interrupt the cycle would benefit society.

Co-educational prisons are on the horizon. These offer excellent opportunities for using a program of sex for behavioral modification. There would have to be a policy regarding the role of marriage, as some would object to allowing free sexual co-mingling between inmates with spouses outside the walls. This would probably not be a problem, except in the eyes of a few members of backward religious cults with repressive sexual policies.

This program, too, has its limits. Its main value is for those who will eventually return to the outside world, because it helps maintain a link to the outside. Life prisoners, and death row inmates, are bound to get less from this program than those with futures outside the walls. For these, the only value is as a control measure. For death row inmates, there are quicker and cheaper means of control, which pose fewer security risks.

A co-ed prison would also offer increased opportunities for rape. One way of keeping the lid on this problem is careful screening of candidates, excluding those with histories of violence, and especially those convicted of rape. Another way is a program of severe penalties for rape committed in any correctional facility. Compulsory castration for the first offense is not too severe, because it would absolutely prevent a second offense.

Corporal Punishment

One compelling idea is substituting corporal punishment for incarceration. This would reduce prison crowding, yet punish offenders quickly and effectively.[15]

The point of re-introducing corporal punishment is that the process is quick and cheap. Instead of paying for the upkeep of a convict for several years, the taxpayer would pay only for arrest, trial, and custody until punishment.

To be both fair and civilized, the manner of punishment should not be mutilating, excessive, or violent.[16] One expert suggests administering electric shocks as a fair and civilized way to inflict corporal punishment.[17] The purpose would be to apply pain as punishment for the individual who was not too dangerous to release immediately after the punishment.

We could also learn from the Moslem world. An American National Guard Sergeant returned from Saudi Arabia reported that serious crime is low, and that thieves are tattooed on the first and second convictions. The third conviction results in having the arm anesthetized, and the hand smashed with a mallet. The thief then goes to a hospital, where it's surgically removed.[18]

Shock Incarceration

"Brainwashing" and "thought reform" programs have been in use in communist countries for decades, both for reforming criminal offenders and political deviates. During the last several years, there's been experimentation in "boot camp" programs for re-programming youthful offenders in this country.

Actually, this concept isn't new. New York State's Elmira Reformatory had a program of military drill in the last century. A sentencing option long in use by American judges has been to offer a youthful offender the choice of serving a prison term or enlisting in the armed forces. This came to an end when the armed forces finally objected to being dumping grounds for society's rejects.

As of 1990, there were boot camp programs in the following states: Alabama, Arizona, Arkansas, Florida, Georgia, Idaho, Louisiana, Maryland, Michigan, Mississippi, New Hampshire, New York, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas. Only Alabama, Idaho, and Mississippi had no age limits. The rest of the states set limits of 25 or 30 years of age for candidates. Programs are limited to male convicts, except in Louisiana, Mississippi, New York, and South Carolina, where there are female programs as well.

The boot camp program involves several factors:

1. Military style discipline, with the inmates kept busy with group activities all day. There is constant control of their time, providing little or no "slack" for planning escapes, gang activities, homosexuality, etc.

2. Some form of counseling, both during and after the end of incarceration.

3. Careful selection of candidates. Usually, the program is limited to first and non-violent offenders. There are a few exceptions.

Proponents say the programs appear promising. They point out that the inmates adopt more positive attitudes than those sentenced to regular prisons, and that they become more physically fit. However, recidivism rates are about the same as comparable groups serving regular times. This is important, because it exposes a common defect in evaluating new programs. Those who are proponents believe in it, and they tend to select candidates who are likely to give good results. First offenders are more likely to reform than repeaters, whatever system of incarceration involved. Proponents of any new method also are likely to be biased in their evaluations, and when we look at long-term results, the new programs don't appear quite as promising as they do on paper.

One conclusion the NIJ report on boot camp incarceration brings out is that graduates may easily revert upon return to their pre-incarceration environment.[19] This corresponds to the experiences of people who have been brainwashed in communist regimes, and who have broken free of the effects of brainwashing once in the free world and away from communist control.

There's also the ingratiation effect, which fools many researchers. People in custody in a system which provides rewards and punishments linked to "correct" attitudes soon learn to say what the authorities want to hear. This is called "making the right noises with their mouths," and serves to manipulate the authorities into behavior favorable to the inmates. They continue dissembling until they're free from control, then revert to previous attitudes and behavior.

Summing up, there's no hard evidence that shock incarceration has any special value. It's new and trendy, but is more labor-intensive, requiring more guards and "drill instructors." This is a drawback, especially now that prisons are strained to the breaking point, and staffs are stretched thin. In short, it's not cost-effective, as is electronic monitoring.

Ending Criminal Careers

Conventional practice, in many states, is to consider a "three-time loser" a career criminal, and impose life imprisonment. While superficially logical, this policy has two serious drawbacks:

1. It burdens the taxpayer, who theoretically has to pay for the criminal's upkeep for the rest of his life.
2. It often doesn't work, anyway, because parole boards often grant parole in life sentences, and there's often time off for good behavior. A life sentence often means merely ten or twenty years.

Legislation mandating execution for repeat offenders is a quick and easy way to solve this problem permanently. The People's Republic of China executes career criminals who are beyond reform, and this practice is worth adopting here. A valuable collateral benefit would be the saving of tax dollars, better spent on hospitals, schools, and roads. The offender would "max out" at three felony convictions, and would be eligible for the extreme penalty. Such legislation would require a clear understanding of the purpose of the criminal justice system, which is mainly to protect society. It might very well happen, for example, that a career criminal's third felony would be burglary or auto theft. This would allow an interpretation that the felon is forfeiting his life for a stolen car, and it's certain

that opponents of capital punishment would paint it this way, purposely obscuring the point.

As long ago as 1912, there was a case which went up to the U.S. Supreme Court, regarding a man who had stolen $310, and had pulled a life sentence. Although it was possible to describe a life sentence for stealing $310 as excessive, the Supreme Court upheld the West Virginia statute, which mandated a life sentence upon the third felony conviction.[20]

Maxing out a career criminal, and ending his career permanently, precludes his being freed by a parole board at any time in the future. It absolutely prevents his victimizing anyone ever again. This is the sort of perfect final solution that is rarely attainable in the criminal justice system.

Enabling legislation might also allow "administrative termination" of selected inmates. A two-time loser who is escape-prone, and obviously anti-social, might qualify for an administrative hearing within the prison, in which the panel would decide that there's no hope of his becoming socially useful upon release. With such a poor prognosis, it would be expedient to channel him into the terminal program for quick disposal.

Another piece of enabling legislation would be to streamline capital punishment. Electric chairs and gas chambers are bizarre and unnecessarily elaborate, and they're expensive to operate and maintain. It would save tax dollars to employ simpler ways. Lethal injection and a bullet in the brain are simple and cost-effective methods of individual execution. In Saudi Arabia, beheading is the official technique. Officials first drug the prisoner heavily, until he's barely conscious, then stand him up and chop off his head.[21]

There are certain objections to capital punishment. The execution of youthful murderers is one. Ceremonial killing of teenagers, no matter how vicious the crime, will continue to be an emotional topic. It's tactically wise to abandon striving for the execution of teenagers. This will deny opponents of capital punishment some of their ammunition, and help open the door to more widespread executions of older offenders.

One very valid objection is that, given the current state of medical knowledge and the need for organ donors, execution wastes valuable resources. We'll examine this interesting possibility next.

Medical Uses of Inmates

It's not asking too much that those who have taken a life should risk or sacrifice theirs for science or to help another person. Legislation allowing the use of

convicted killers as subjects for medical experiments or as spare parts banks for organ transplants is a good step in constructive rehabilitation of these offenders. Simply executing them is a waste of precious resources, especially when there are many waiting recipients for organ transplants, and medical science needs living subjects for certain high-risk research.

Legislation mandating a final solution for repeat offenders would greatly increase the pool of resources. Having many involuntary donors and test subjects would be a breakthrough for medical science, and the spin-offs would be tremendous. As a start, this system would allow economies of scale, and the cost of an organ transplant would drop drastically. An abundance of donors would shorten the waiting time, and organ recipients would accrue far less hospital time. They'd also be able to return to work sooner, earning their way instead of consuming resources.

A pool of involuntary subjects for medical research would break through the "informed consent" barrier that has limited many tests of new drugs, treatments, and procedures. Doctors would be able to design bolder experiments, knowing that their test subjects were absolutely expendable. Terminal experiments would allow exact measurement of drug safety margins, for example, as well as more realistic experiments regarding safety equipment.

The future of incarceration is uncertain, despite the many bright possibilities. Making tangible improvements will take not only effort, but a new way of thinking, because it's possible to make some gigantic dents in the problem with existing technology.

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15. *Just and Painful,* pp. 3-25.
16. *Ibid.,* pp. 26-40.
17. *Ibid.,* pp. 41-49.
18. *Arizona Republic,* November 5, 1990, article by David Cannella.
19. "Boot Camp" Programs, *NIJ Reports,* November/December, 1990, pp. 6-8. An Arizona State University professor who has studied his state's shock incarceration program has stated that "It's simply not working as it is now." The main problems are that judges are sentencing those who would qualify for parole to the system, and that when they're released, they return to the same environment that led them to crime. Almost all who successfully completed the program were in trouble within two years after release.
20. *Graham vs. West Virginia,* 32 S. Ct. 583 (1912).
21. *Arizona Republic,* November 5, 1990, article by David Cannella.

Glossary

Appeal Moving a case to another court, or a higher court within the same system. Almost always used as a delaying tactic in capital cases.

Bail Conditional release pending trial or sentencing, on the basis of a cash bond to ensure court appearance.

Blade See "Shiv."

Bull A detention or correction officer.

Bull-Dog To bully or coerce.

Double-Bunking Putting two inmates into a cell originally designed for one. This usually involves hanging another bunk from the wall.

Fink A "snitch," or informer.

Fish A newly-arrived inmate, a novice.

Gun Gallery A barred and totally enclosed walkway overlooking cell blocks and other prisoner areas, patrolled by armed guards.

Hack Slang for jail or prison guard. Also "screw," "the man," "the Gestapo," etc.

Incorrigible Dated expression for someone beyond hope of rehabilitation or correction.

Isolation A separate facility to segregate special inmates from the general population. Also "Segregation."

Laundry Room Discipline Improvised punitive measures, using commonly available materials in an informal setting. Almost any room in which officers

can isolate and restrain the inmate will do, as long as a few materials are close by, hence the term "laundry room discipline."

Lockdown A general confinement to cells, to prevent or stop a threat to prison order. A lockdown can continue for days, with meals delivered to the cells.

Lockup Normal locking of inmates in their cells at night.

Punk The younger partner in an exploitative homosexual relationship.

Rat A snitch.

Screw Slang for correction officer. See "Hack."

Shank See "Shiv."

Shiv Prison slang for an improvised dagger.

Situational offender The first-time or occasional offender, as opposed to the career criminal.

Snitch An informer, or "Fink."

Sociopath A psychiatric catch-all term, but in the prison context, a hard-core, unrepentant convict.

Stoolie See "Snitch." Also "Stool pigeon," "stool."

Tank A holding cell for many prisoners.

Wolf An aggressive bully, who forces sex on weaker or younger, less experienced inmates.

Index

Activism, 25, 66
Administrative block, 47
Administrative discipline, 68
Administrative termination, 173
Administrators, 20, 21, 42, 43, 44, 45, 46, 47, 54, 58, 59, 65, 66, 72, 74, 83, 99, 100, 107, 109, 112, 115, 128, 167
Admitting block, 51
Affluent criminals, 42
AIDS, 56, 57, 92, 134
Alcatraz, 10, 11, 12, 19, 22, 29, 34, 51, 54, 58, 67, 94, 95, 96, 99, 100, 105
Alcohol consumption, 104
Alcoholic beverages, 21, 32, 55
Alienation, 72
Alliances, 57, 65
American Civil Liberties Union, 25
American Correctional Association, 111
Ammonia, 68
Amnesty, 105
Ann Landers Game, 35
Arizona State Prison, 9, 25, 28, 29, 31, 33, 36, 43, 58, 59, 93, 94, 95
Assassinations, 28
Assignments, 7, 56, 57, 64, 69, 76, 102, 115, 128
Assistant Game, 35
Attacks, 4, 16, 19, 34, 50, 67, 129, 130
Attention-getting, 122
Attica Prison, 45, 89, 100, 101, 103, 104
Attorneys, 29, 34, 35, 51, 54, 55, 60, 167
Auburn Prison, 9, 64
Auburn System, 9, 64

Barry, Mayor Marion, 34
Bastille, 6
Baton, 47, 69, 116, 129, 130, 131, 132, 150, 151, 152, 153, 157
Beccaria, Cesare, 8, 111
Behavior modification, 52, 54, 67, 82, 84, 169, 170
Behavioral sink, 26, 89, 124
Beheading, 173
Bentham, Jeremy, 8
Black Muslims, 66, 167
Blackmail, 127
Bleeding hearts, 8, 72, 105, 107, 111, 159

Body armor, 139, 140, 141, 142, 143
Body cavity search, 57
Body language, 126
Brainwashing, 171, 172
Bribery, 122, 126
Bull-dogging, 27, 176
Bus therapy, 58

Cap-Stun, 67, 69, 70, 130, 132, 148, 149, 150
Capital punishment, 15, 75, 92, 111, 114, 173
Capone, Al, 51
Career criminal, 3, 16, 18, 75, 77, 81, 91, 93, 168, 172, 173, 177
CCTV, 144
Cell block, 19, 22, 47, 53, 55, 56, 70, 93, 97, 103, 105, 106, 119, 144, 147, 176
Cell extraction, 69
Cell-mates, 97
Censorship, 33, 53, 54, 55, 104, 118, 167
CERT Team, 69
Chemical agents, 22, 23, 130
Chemical disciplinary method, 84
Chemical sedation, 92
Chemical stupor, 85
Chessman, Caryl, 110
Chlorpromazine, 84
Classification, 11, 16, 18, 50, 51, 72, 91
Cliques, 27, 57, 64, 100, 104
Closed circuit TV, 21
Closed hearing, 65
Closed-circuit TV, 104, 144
Club Fed, 37, 42
CN, 147
Co-educational prisons, 170
Cocaine, 53
Colditz, 19, 60
Collapsible batons, 151, 152
Collective responsibility, 97
Combative inmates, 85, 86, 87, 89, 90, 129, 148
Combativeness, 26
Come-alongs, 130
Compulsory castration, 90, 170
Con-wise, 34, 51, 54, 107, 112, 118, 134, 147, 167
Concentration camp, 2, 25, 118
Condemned criminals, 92
Confiscation, 57, 60, 69, 160
Confrontation, 34, 69, 123, 124
Conjugal visits, 30, 73, 169
Contraband, 22, 32, 33, 34, 38, 49, 52, 53, 55, 56, 57, 58, 59, 60, 61, 62, 69, 96, 113, 117, 122, 127, 134, 147
Control room, 19, 22, 53, 97, 128, 144, 164
Convict hulk, 7
Conviction rates, 1, 3
Corporal punishment, 1, 7, 9, 67, 170
Correctional funnel, 16
Country club prisons, 1, 37
Crime colleges, 38
CS, 147

Danbury, 37
Deadly force, 23, 63, 102, 127, 128, 130
Death penalty, 12, 111, 114, 168
Death Row, 12, 13, 53, 89, 119, 167, 170
Debtor's prison, 7
Delgado, Dr. Jose, 81, 92
Detention camp, 20

Devil's Island, 7, 11
Dillinger, John 12
Disciplinary hearing, 65
Discipline, 9, 49, 51, 63, 64, 66, 67, 68, 101, 102, 125, 171, 176, 177
Divide and Conquer, 35
Double bunking, 31, 72, 109, 176

Early release programs, 73, 74, 113
Electric chair, 173
Electric locks, 19
Electric shock, 170
Electrical stimulation of the brain, 81
Electrically controlled gates, 22
Electro-shock, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91
Electronic bracelet, 164
Electronic gate, 55
Electronic media, 54, 104
Electronic monitoring, 164, 172
Electronic search, 57
Electronic sensor systems, 127, 144
Electronic surveillance, 21
Elmira Reformatory, 11, 171
Equanil, 84
Escape, 2, 11, 15, 23, 28, 32, 35, 49, 50, 52, 53, 56, 59, 60, 71, 75, 85, 92, 93, 94, 95, 96, 97, 98, 100, 106, 116, 127, 128, 133, 135
Escape attempts, 25, 52, 53, 59, 62, 67, 85, 89, 95, 96, 106, 119
Escape committee, 66
Escape gear, 96
Escape plans, 57, 66
Escape-prone inmates, 11, 86, 87, 89, 93, 135, 162, 173
Execution, 1, 6, 12, 15, 75, 84, 89, 90, 91, 92, 111, 114, 119, 161, 162, 165, 167, 168, 172, 173

Face-saving, 125
Federal Bureau of Prisons, 11, 22, 34, 95
Female officer, 41, 123, 169
Females, 11, 15, 41, 91, 120, 169
Feudal societies, 42
Finkbeiner, Warden Fred, 103
Firearms, 22, 31, 32, 100, 116, 117, 129, 130, 131, 135, 138, 139, 163
First offenders, 16, 17, 75, 81, 163, 164, 166, 171
Flogging, 7, 67, 68
Folsom Prison, 66
Fortress prison, 10, 18, 19, 21

Game-playing, 47
Gang rape, 28, 31, 64, 90, 103
Gangs, 20, 27, 29, 58, 64, 65, 94, 96, 102, 103, 128
Gas chambers, 173
Giles, John, 96
Gilmore, Gary, 111
Governor Rockefeller, 101
Green Haven Prison, 22, 29, 55, 56, 67, 73, 78, 83, 89, 96
Greenawalt, Randy, 93, 94
Guard towers, 10, 15, 21, 128
Guest Administrators, 46
Gun gallery, 19, 22

Haloperidol, (Haldol) 84, 85
Handcuffing, 53, 132
Handcuffs, 53, 127, 153, 154, 155
Hanging, 18, 30, 176
Hard-core criminals, 3, 11, 12, 36, 113
Head Counts, 52
Hepatitis, 57
Hiatt Hinged handcuffs, 154
Holding tank, 14

Home arrest, 3, 14
Homosexual, 30, 31, 58, 90, 91, 177
Homosexual rape, 90, 119
Homosexuality, 30, 31, 56, 64, 169, 171
Homosexuals, 30, 50
Hospice of San Michele, 7
Hostages, 24, 43, 99, 101, 103, 105, 106, 107

Icepick, 88, 139
Incapacitation, 3, 14, 75, 77, 83, 84, 85, 90
Incorrigibles, 68, 166
Indeterminate sentence, 11
Individual treatment, 11
Industrial prisons, 7, 10
Informers, 21, 28, 47, 50, 58, 59, 60, 65, 69, 76, 99, 104, 105, 163, 176, 177
Inmate security file, 61, 62
Inmate-clerks, 47
Intensive probation, 163
Interrogation, 57, 68, 69
Intimidation, 56, 69, 99
Isolation, 8, 30, 67, 68, 70, 176

Jailhouse lawyers, 68, 125
Johnston, James A., 22, 29
Joliet Prison, 58, 102
Journalists, 34, 66
Judges, 28, 34, 111, 166, 167, 169, 171, 175
Juveniles, 4, 15, 16

Kubotai, 132, 153, 157
Kubotan, 132

Labor unions, 10, 20
Landers, 35
Laundry room discipline, 68
Lawyers, 75, 115, 165, 166, 168
Leavenworth, 36, 105
Legislation, 5, 74, 159, 161, 162, 165, 167, 168, 172, 173, 174
Lesson plan, 116
Lethal injection, 173
Lex talionis, 1
Liberal view of crime, 2
Liberalization of prison policy, 35
Life imprisonment, 172
Lithium, 84
Lobotomy, 81, 82, 83, 84, 87, 88, 89, 92
Lock-down, 97, 104, 106, 177
Lopez, Hector, 89
LSD, 53

Maison de Force, 7
Mandatory hiring, 42
Mandatory sentencing, 12, 72, 160, 162, 163, 166
Mandatory sterilization, 91, 169
Manipulating media people, 107
Manipulation, 36, 37, 47, 74, 120
Manipulative behavior, 35, 62
Manipulative inmate, 35, 45, 76, 118, 133
Manipulative people, 120
Manipulative techniques, 36, 122, 127, 135
Manipulative tool, 66
Manipulative trips, 118
Manipulative types, 125
Manipulators, 120
Masturbation, 30, 169
Maximum security, 50, 90, 94, 119, 162, 166
Maximum security cell block, 93
Maximum security prison, 10, 11,

Maximum security prison (cont.), 18, 19, 56, 64, 73, 76
Media, 4, 23, 43, 54, 99, 100, 102, 105, 109, 110, 112, 131, 135
Media interviews, 54, 101, 105, 107
Medical experiments, 161, 174
Medium security, 50, 90
Medium security prisons, 11
Mentally ill inmates, 42, 80
Mentally ill people, 4
Meprobamate, 84
Metal detector gates, 56, 57
Metal detectors, 145, 146
Microwave dielectric detector, 147
Miltown, 84
Minimum security, 50, 162
Minimum security prisons, 11, 73
Minorities, 26, 124
Minority applicants, 42
Minority groups, 113
Minority hiring, 42
Minority members, 42
Minority officer, 44
Moniz, Antonio Egas, 81
Moran, John, 93

NAACP, 12
Name-calling, 119
Negotiations, 23, 76, 99, 101, 107
New Mexico State Penitentiary, 59
Non-lethal force, 23, 102, 147
Non-lethal weapons, 139, 147

Officer academy, 47
Organ bank, 92
Oswald, Russell, New York State Commissioner of Correctional Service, 45, 101, 104

Parole, 4, 11, 34, 60, 62, 74, 78, 89, 93, 163, 164, 172, 173, 175
Pat-down, 134
Pat-frisk, 55, 56
Penile anesthesia, 90
Penitentiary, 8, 28, 35, 72, 135
Phenergan, 84, 85
Phenol, 88
Political activism, 66
Political control, 2
Political criminals, 7
Polygraph, 42
Pornography, 117, 165
Power plays, 122
Preventive treatment, 82, 89, 90
Prison administration, 8, 10, 28, 30, 31, 34, 37, 52, 54, 56, 82, 85, 94, 96, 97, 100, 104
Prison administrator, 3, 31, 33, 36, 41, 43, 44, 45, 46, 49, 50, 64, 65, 72, 74, 83, 87, 97, 99, 105, 107, 109, 110, 111, 159
Prison camp, 19, 20, 21, 97
Prison gangs, 27, 64, 85
Prison reform, 8
Prison union, 66, 82, 89
Prison-made weapons, 32
Prisoner's rights, 4, 5, 57, 167
Prisoner's rights groups, 111, 112
Privately-operated prisons, 162
Pro-Straint Seat, 154
Promazine, 84, 85
Protective custody, 2, 50, 51
Provocative language, 126
Psychiatric treatment, 69, 77, 78, 80, 81, 82, 83, 84, 87, 89, 96, 97, 104
Psychosurgery, 81, 82, 87, 88, 90
Public relations, 38, 109, 110, 131
Public relations officer, 110
Punks, 30, 31, 177

Quota hiring, 41, 42

Radical lobotomy, 89
Rape, 31, 90, 160, 165, 170
Re-programming, 171
Recidivism rate, 3, 78, 171
Recidivist, 39
Representative Henry Hyde, 168
Riot, 3, 8, 11, 21, 22, 23, 24, 29, 34, 36, 45, 49, 52, 54, 59, 64, 69, 70, 76, 89, 99, 100, 101, 102, 103, 104, 105, 106, 116, 131, 143, 147, 152, 104, 105, 109, 131, 135
Riot control training, 131
Role-playing, 115, 126

Salami-slicing, 35, 122, 123, 127
Security risks, 2, 11, 33, 50, 54, 55, 62, 81, 87, 89, 119, 121, 170
Segregation, 16, 67, 72, 176
Serial burglars, 75
Serial killers, 75
Serial muggers, 75
Serial rapists, 75
Serra, Tony, 28, 29
Set-ups, 133
Sex criminals, 91
Sharpened toothbrush handle, 146
Shock Incarceration, 171, 172, 175
Short-timers, 11, 50
Simsbury Prison, 8, 99
Sing Sing Prison, 9, 39
Smuggling, 31, 33, 49, 53, 55, 57, 59, 61, 64
Sociopath, 30, 76, 77, 80, 118, 119, 177
Solitary confinement, 8, 9, 67, 85, 96
Sparine, 84
State Prison of Southern Michigan, 10, 104
Statesville, 19
Status offenders, 15
Stelazine, 85
Stiletto, 139
Stonewalling, 123
Strip cell, 30, 67, 68
Strip search, 34, 55, 56
Structural escapes, 93
Stun gun, 63, 67, 69, 70, 149, 150
Super maximum security prison, 22, 29
Super-dangerous criminals, 11, 12
Super maximum security section, 13
Superintendent Mancusi of Attica, 104
Surprise searches, 56
Sybil Brand Institute, 168
Sympathy Play, 35, 122
Syphilis, 57

Tear gas dispersion systems, 22, 64
Tear gas sprays, 102, 106
Termination order, 166
Testing a new officer, 121
Testing behavior, 51, 126
Third-party invisible, 123
Thorazine, 84, 85
Threatening an officer, 62, 63, 127
Tison, Gary, 28, 29, 31, 93, 94, 135
Tison escape, 94
Tison Gang, 35
Topectomy, 88
Tower of London, 6, 18
Trans-orbital lobotomy, 88, 89
Transfers, 16, 50, 68, 100, 104
Tuzon, Bobby, 28

Unarmed combat, 39, 128, 129, 131
Use of force policy, 127

Vacaville, 81
Valium, 84
Vasectomy, 90, 169
Vocational rehabilitation, 6, 72, 73, 81, 95

Walk-aways, 93, 94
Walla Walla, 26, 27, 35
Walnut Street Jail, 8
Warden Harold Cardwell, 93
Warden Joseph Ragan, 102
Warehousing, 2
We/they game, 44
Western Penitentiary, 9
White-collar criminals, 11
Work gangs, 20

Yuma Territorial Prison, 9, 66

THE BIG HOUSE

Bursting at the seams, our prison system is in a state of crisis. Many prisons are under court order to reduce overcrowding. New drug laws and mandatory sentencing requirements only add to the problem. There's no place left to put criminals except back on the street.

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